

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

TA-70-2019 (O&M)

Date of decision: 08.07.2019

Priti Sharma

...Applicant

Versus

Vikas Sharma

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Tanmoy Gupta, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Priti Sharma, aged about 32 years, estranged wife of respondent Vikas Sharma, presently residing with her parents at Faridabad, on account of matrimonial discord between the spouses, by way of moving the present application, seeks transfer of divorce petition, filed by her husband, the respondent against her having title 'Vikas Sharma Vs. Priti Sharma' pending in the Court of Principle Judge, Family Court, Gurugram to the Court of competent jurisdiction at Faridabad.

According to the applicant, she does not have any source of income and is dependent upon her parents for getting her financial needs met; that she has lodged an FIR against the respondent at Faridabad; that as a matter of fact, the parties had not resided together at Gurugram, therefore, the Court there does not have any jurisdiction to entertain and try the divorce petition; that on account of financial constraints and being a young woman, it is difficult for the applicant to travel from her parental

place to Gurugram to attend the dates of hearing in the Court there, covering a distance of about 45 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who was duly served but did not appear to offer a contest.

I have heard learned counsel for the applicant besides going through the record.

Keeping in view the contentions in the application and submissions made by learned counsel for the applicant, in which I find merit, in absence of any strong circumstance to the contrary, it would be proper and appropriate, if the application is accepted. The same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of Principle Judge, Family Court, Gurugram and transferred to Family Court at Faridabad for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 07.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

08.07.2019

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**(H.S. MADAAN)
JUDGE**

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No