

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

TA-81-2019 (O&M)

Date of decision: 03.09.2019

Mohita Rani

...Applicant

Versus

Manoj

...Respondent

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

Present: Mr. Y.P. Malik, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Mohita Rani, aged about 29 years, estranged wife of respondent Manoj, presently residing at her parental place at Panipat, on account of matrimonial discord between the spouses, by way of filing the present application, seeks transfer of divorce petition, filed by her husband, the respondent against her having title 'Manoj Vs. Mohita Rani' pending before Family Court, Sonapat to the Court of competent jurisdiction at Panipat.

As per version of the applicant, she had tied the nuptial knot with the respondent on 20.06.2014 at Panipat. Thereafter, they started residing together and were blessed with twin sons, named, Parv and Preet, born on 21.07.2015. The applicant was harassed and maltreated by the respondent and his family members in connection with demand of more dowry. She was treated with cruelty and ultimately, she along with twin sons was turned out of the matrimonial

home. She had no other place to go except her parental house at Panipat. She does not have any source of income and is dependent upon her brother for meeting her financial needs and those of her twin sons. She has filed a petition under Section 125 Cr.P.C. against the respondent in Court at Panipat, where the respondent is appearing. The respondent is serving in Haryana Police as Constable and is posted at Panipat. Just to harass the applicant, the respondent has filed the petition in question against her. Parents of the applicant have already expired. Under the circumstances, it is difficult for her to travel from Panipat to Sonapat, to attend the dates of hearing in the Court there. 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 The petition in question is ordered to be withdrawn from Family Court, Sonapat and transferred to Family Court at Panipat, for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 14.10.2019. Copies of orders be sent to both the Courts for

information and necessary compliance.

03.09.2019

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(H.S. MADAAN)
JUDGE

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