

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

TA-92-2019 (O&M)

Date of decision: 22.08.2019

Reena Rani

...Applicant

Versus

Baleshwar Kumar @ Bala

...Respondent

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

Present: Mr. Munish Kapila, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Reena Rani, aged about 39 years, estranged wife of respondent Baleshwar Kumar @ Bala, on account of differences between the spouses, by way of filing the present application, seeks transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Baleshwar Kumar Vs. Reena Rani' pending in the Court of Addl. Civil Judge (Sr. Divn.), Abohar to the Court of competent jurisdiction at Sangrur.

According to the applicant, the marriage solemnized between the parties on 05.12.1998 did not work, though, the couple was blessed with a daughter, namely, Ms. Mehak, aged about 17 years and a son, namely Master Parshant, aged about 12 years. On account of maltreatment and harassment meted out to the applicant by the respondent, she along with minor children was forced to leave the matrimonial home. She had no other place to go except the house of

her parents at Sangrur. The father of applicant has expired and she does not have any source of income. She has filed a petition under Section 125 Cr.P.C. against the respondent in Court at Sangrur. The respondent has filed the petition in question against the applicant as a tool of harassment and inconvenience. Under the circumstances, it is difficult for the applicant to travel from her parental place to Abohar to attend the dates of hearing in the Court there, covering a distance of about 175 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who had put in appearance through counsel on 09.04.2019 but on subsequent dates, there has not been any representation on his behalf.

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 The petition in question is ordered to be withdrawn from the Court of Addl. Civil Judge (Sr. Divn.), Abohar and transferred to the Court of learned District Judge, Sangrur for disposal in accordance with law. Learned District Judge, Sangrur may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties are directed to appear in the transferee Court

on 25.09.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

22.08.2019

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(H.S. MADAAN)

JUDGE

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