

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

TA-120-2019 (O&M)

Date of decision: 09.09.2019

Manjinder Kaur

...Applicant

Versus

Sukhveer Singh

...Respondent

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

Present: Mr. Amandeep Chhabra, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Manjinder Kaur, aged about 24 years, estranged wife of respondent Sukhveer Singh, presently residing with her parents at Village Mahla, Tehsil Sangat, District Bathinda, 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 'Sukhveer Singh Vs. Manjinder Kaur' pending in the Court of District Judge, Family Court, Faridkot to the Court of competent jurisdiction at Bathinda.

According to the applicant, she got married with the respondent on 04.03.2014. Thereafter, they started residing together. The marriage was consummated and they were blessed with a son. However, dispute arose between the spouses and the applicant had to walk out of the matrimonial home along with minor son of the parties. She had no other place to go except the house of her parents at Village Mahla,

Tehsil Sangat, District Bathinda. She does not have any source of income. She has filed a petition under Section 125 Cr.P.C. besides a complaint under Sections 406 and 498-A IPC against the respondent. The respondent has filed the petition in question against the applicant just to harass her. The applicant being a young woman, having no source of income, it is difficult for her to travel from her parental place to Faridkot, to attend the dates of hearing in the Court there, covering a distance of about 70 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Faridkot and transferred to Family Court at Bathinda for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 17.10.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

09.09.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No