

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 115 of 2019 (O&M)

Date of decision : 9.7.2019

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Jaswinder Kaur

.....Applicant

vs.

Sukhwinder Kumar

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Vishal Munjal, Advocate for
Mr. K.D. Sachdeva, Advocate for the applicant.

None for the respondent.

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H. S. Madaan, J. (Oral)

Applicant – Jaswinder Kaur, aged about 28 years, estranged wife of Sukhwinder Kumar, presently residing with her parents at Patiala, has filed the instant application under Section 24 CPC, seeking transfer of Divorce petition, filed by her husband, who is respondent in the present application, against her, having title 'Sukhwinder Kumar vs. Jaswinder Kaur' pending in the Court of Principal District Judge, Family Court, Karnal, to a Court of competent jurisdiction at Patiala.

As per version of the applicant, marriage performed between the parties did not work, though the couple was blessed with a girl child on 6.12.2017. The applicant was harassed and maltreated by the respondent and his family members on account of demand of dowry.

She was forced to leave the matrimonial home and she started residing with her parents at Patiala. The respondent has filed a divorce petition against the applicant in the Court at Karnal, just to harass and trouble her. The applicant being a young woman, taking care of minor daughter of the parties, having financial constraints, it is difficult for her to travel from Patiala to Karnal to attend the dates of hearing in the Court there. Therefore, the 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, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question pending in the court of Principal District Judge, Family Court, Karnal, is withdrawn from that Court and transferred to the Family Court at Patiala, for disposal in accordance with law. Parties are directed to appear there on 8.8.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

9.7.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No