

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

TA-106-2019 (O&M)
Date of decision: 22.10.2019

Saloni

...Applicant

Versus

Hemant Kumar

...Respondent

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

Present: Mr. Manoj Chahal, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Saloni, estranged wife of respondent Hemant Kumar, presently residing with her parents at Village Dang Khurd, Tehsil & District Bhiwani, 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 'Hemant Kumar Vs. Saloni' pending before Addl. District Judge, Rewari to the Court of competent jurisdiction at Bhiwani.

According to the applicant, the marriage solemnized between the spouses on 23.11.2016 did not work. The couple was not blessed with any child. The applicant was forced to leave the matrimonial home and start residing with her parents w.e.f. 09.09.2018. She has got registered an FIR under Sections 323, 498-A etc. IPC against the respondent and his family members at Police Station Tosham. She has filed a petition under Section 125 Cr.P.C. against the respondent in Court at Bhiwani. 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 Rewari, 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 and had appeared through counsel but later on he stopped appearing. Even, today there is no 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 The petition in question is ordered to be withdrawn from the Court of Addl. District Judge, Rewari and transferred to Family Court at Bhiwani for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 22.11.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

22.10.2019

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(H.S. MADAAN)
JUDGE

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