

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

TA-110-2019 (O&M)

Date of decision: 26.09.2019

Anita

...Applicant

Versus

Sombir Singh

...Respondent

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

Present: Mr. P.K. Ganga, Advocate for the applicant.

Ms. Kiran Bala Jain, Advocate for the respondent.

H.S. MADAAN, J. (Oral)

Applicant Anita, aged about 30 years, estranged wife of respondent Sombir Singh, presently residing separately from her husband, due to 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 'Sombir Singh Vs. Anita' pending in the Court of District Judge, Family Court, Ambala to the Court of competent jurisdiction at Mahendergarh at Narnaul.

According to the applicant, she belongs to a poor family. She was harassed and maltreated by her husband, as such, she was forced to leave the matrimonial home and start residing with her parents. The respondent has filed the petition in question against the applicant just to harass her. Under the circumstances, it is difficult for

her to travel from her parental place to Ambala 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 put in appearance through counsel, filed written reply and is opposing the application vehemently, praying for its dismissal.

I have heard learned counsel for the parties besides going through the record.

A perusal of the copy of divorce petition, copy of which has been placed on record by the applicant herself goes to show that there are grave and serious allegations regarding the moral character of the applicant. The minor children of the parties are residing with the respondent. To explore the possibility of amicable settlement, the parties were asked to remain present in the Court along with their minor children. Mrs. Mamta, real sister of applicant married with real brother of respondent has corroborated the version of the respondent that the applicant is not having a good moral character. It being so, I find that it would not be proper and appropriate to allow the application. The same stands dismissed.

26.09.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No