

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

TA-164-2019 (O&M)
Date of decision: 25.07.2019

Sunita

...Applicant

Versus

Naresh Kumar

...Respondent

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

Present: Mr. J.S. Lalli, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Sunita, aged about 28 years, estranged wife of respondent Naresh Kumar, presently residing with her parents at Village Kheri Naru, Tehsil & District Karnal, 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 'Naresh Kumar Vs. Sunita' pending in the Court of Principal, District Judge, Family Court, Hisar to the Court of competent jurisdiction at Karnal.

As per version of the applicant, the marriage between the parties was solemnized on 26.07.2015. Thereafter, they started residing together. The couple was not blessed with any child. The respondent and his family started harassing and maltreating the applicant, since, she could not get their demands of more dowry conceded from her parents. Ultimately, she was turned out of the matrimonial home in the year 2016 on the eve of Rakhi. She had no other place to go except the house of her

parents at Karnal. She does not have any source of income. She has filed a petition under Section 125 Cr.P.C against the respondent seeking maintenance in a Court at Karnal. Under the circumstances, it is difficult for the applicant to travel from her parental place to Hisar 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 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 The petition in question is ordered to be withdrawn from the Court of Principal District Judge, Family Court, Hisar and transferred to Family Court at Karnal for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 28.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

25.07.2019

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**(H.S. MADAAN)
JUDGE**

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