

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

TA-186-2019 (O&M)
Date of decision: 15.07.2019

Komal

...Applicant

Versus

Manoj Kumar

...Respondent

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

Present: Mr. Inderjeet Singh, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Komal, aged about 34 years, estranged wife of respondent Manoj Kumar, presently residing with her parents at Yamuna Nagar, on account of differences between the parties, by way of filing the present application, seeks transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Manoj Kumar Vs. Komal' pending in the Court of Addl. Principal Judge, Family Court, Ambala to the Court of competent jurisdiction at Yamuna Nagar at Jagadhri.

According to the applicant, she does not have any source of income. She is taking care of minor son of the parties, aged about 08 years. It is difficult for the applicant to travel from her parental place to Ambala to attend the dates of hearing in the Court there, covering a distance of about 60 kms on one side. She has filed a petition under Section 125 Cr.P.C. against the respondent, besides another petition under provision of Protection of Women from Domestic Violence Act, 2005

against the respondent in Court at Yamuna Nagar at Jagadhri. 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 The petition in question is ordered to be withdrawn from the Court of Addl. Principal Judge, Family Court, Ambala and transferred to Family Court at Yamuna Nagar at Jagadhri for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 16.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

15.07.2019

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

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