

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

TA-189-2019 (O&M)

Date of decision: 24.07.2019

Mamta

...Applicant

Versus

Rajat

...Respondent

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

Present: Mr. Gulshan Nandwani, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Mamta, aged about 26 years, estranged wife of respondent Rajat, presently residing with her parents at Village Mirpur, Tehsil & District Rewari, on account of marital 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 'Rajat Vs. Mamta' pending in the Court of Principal District Judge, Family Court, Hisar to the Court of competent jurisdiction at Rewari.

As per version of the applicant, the marriage solemnized between the parties on 10.03.2016 did not work on account of harassment and maltreatment meted out to the applicant by the respondent, expressing dissatisfaction with the dowry items given to the applicant by her parents and asking for giving of more dowry. The couple was not blessed with any child. The applicant was forced to

leave the matrimonial home after harassing and maltreating her. She had no other place to go except the house of her parents. She has lodged an FIR No.0051 dated 15.02.2019, for offences under Sections 323, 354-A, 406, 498-A, 506, 511 and 34 IPC against the respondent and his family members with Police Station Dharuhera, District Rewari. She has also filed a petition under Section 12 of Protection of Women from Domestic Violence Act, 2005 against the respondent in Court at Rewari, which is pending. The applicant being a young woman, having financial constraints, 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 The petition in question is ordered to be withdrawn from the Court of Principal District Judge, Family Court, Hisar and transferred to Family Court at Rewari for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 27.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

24.07.2019

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(H.S. MADAAN)
JUDGE

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