

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

TA-192-2019 (O&M)

Date of decision: 20.08.2019

Savin

...Applicant

Versus

Hemant

...Respondent

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

Present: Mr. Saurabh Dalal, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Savin, aged about 24 years, estranged wife of respondent Hemant, presently residing with her parents at Village Dhana, District Jhajjar, on account of differences 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 Vs. Savin' pending in the Court of Principal Judge, Family Court, Rohtak to the Court of competent jurisdiction at Jhajjar.

According to the applicant, the marriage solemnized between the parties on 06.09.2017 did not prove to be a smooth affair. The couple was not blessed with any child. The respondent and his family members used to maltreat the applicant. She was forced to leave the matrimonial home. She had no other place to go except the house of her parents at Village Dhana, District Jhajjar, where she is putting up. She has lodged an FIR No.534 dated 23.12.2018 against the

respondent and his parents with police of Police Station Sahlawas, Jhajjar. She has also filed a complaint under Section 498-A of IPC, which is pending at Jhajjar, besides moving a petition under Section 125 Cr.P.C. against the respondent in a Court at Jhajjar. The respondent has filed the petition in question against the applicant as a tool of harassment and inconvenience. Under the circumstances, it is difficult for the applicant to travel from her parental place to Rohtak 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 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 The petition in question is ordered to be withdrawn from the Court of Principal Judge, Family Court, Rohtak and transferred to the Court of learned District Judge, Jhajjar for disposal in accordance with law. Learned District Judge, Jhajjar may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties are directed to appear in the transferee Court

on 23.09.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

20.08.2019

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(H.S. MADAAN)
JUDGE

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