

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

TA-206-2019 (O&M)

Date of decision: 09.09.2019

Shilpa Bindra

...Applicant

Versus

Manpreet Singh Bindra

...Respondent

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

Present: Mr. Anuj Dewan, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Shilpa Bindra, aged about 30 years, estranged wife of respondent Manpreet Singh Bindra, presently residing with her parents at Pathankot, on account of matrimonial discord between the spouses, 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 'Manpreet Singh Bindra Vs. Shilpa Bindra' pending in the Court of Civil Judge (Sr. Divn.), Amritsar to the Court of competent jurisdiction at Pathankot.

According to the applicant, the marriage solemnized between the spouses on 24.06.2010 did not work, though, the couple was blessed with a daughter, namely Harmeen @ Myra, born on 15.08.2012. The respondent is a drug addict and an alcoholic and he used to beat up the applicant under influence of drugs/liquor. The applicant could not bear that maltreatment and had to walk out of the

matrimonial home along with minor daughter of the parties. She had no other place to go except the house of her parents at Pathankot. She does not have any source of income. She has filed a petition under Section 125 Cr.P.C. besides another petition under provision of Protection of Women from Domestic Violence Act, 2005 against the respondent in Courts at Pathankot. The applicant has also filed complaint before SSP, Pathankot against the respondent and his family members under Section 498-A etc. IPC, which is pending consideration. The respondent has filed the petition in question against the applicant just to harass her. The applicant being a young woman, having no source of income, it is difficult for her to travel from her parental place to Amritsar, to attend the dates of hearing in the Court there, covering a distance of about 120 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 Civil Judge (Sr. Divn.), Amritsar and transferred to Family Court at Pathankot for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 17.10.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

09.09.2019

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(H.S. MADAAN)
JUDGE

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