

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

TA-219-2019

Date of decision:-4.7.2019

Pooja Rani

...Applicant

Versus

Shakti Lohchab

...Respondent

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

Present : Ms.Monika Singh, Advocate
for the applicant.

Respondent ex-parte.

H.S. MADAAN, J.(ORAL)

By way of filing the present application, the applicant – Smt.Pooja Rani, aged about 29 years estranged wife of respondent – Shakti Lohchab, presently residing with her parents at Jind, on account of matrimonial discord between the spouses, seeks transfer of petition under Section 9 of Hindu Marriage Act filed by her husband the respondent against her having title 'Shakti Lohchab Versus Pooja Rani' pending before learned District Judge, Family Court, Sonapat to any other Court of competent jurisdiction at Jind.

According to the applicant, she is a young woman having

no source of income and is looking after minor daughter of the parties aged about 2 ½ years; that she has filed a petition under Section 125 Cr.P.C. against the respondent for herself and on behalf of minor daughter besides a petition under Protection of Women from Domestic Violence Act, 2005 in the Court at Jind; that just to harass and pressurize the applicant, the respondent has filed the petition under Section 9 of Hindu Marriage Act against her in the Court at Sonapat; that the applicant being a young woman taking care of minor daughter of the parties in financial constraints, it is difficult for her to travel from her parental place Jind to Sonapat to attend the dates of hearing in the Court there. Therefore, the application be accepted.

Notice of the application was given to respondent, who was duly served but had not appeared, as such he was proceeded against ex-parte.

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.

Therefore, the application stands allowed and the petition under Section 9 of the Hindu Marriage Act pending in the Court of District Judge, Family Court, Sonapat is ordered to be transferred to the District Judge, Family Court, Jind. The parties are directed to appear before District Judge, Family Court, Jind on 5.8.2019.

Copy of this order be sent to District Judge, Family Court,

Sonepat as well as District Judge, Family Court, Jind for information and necessary compliance.

4.7.2019
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No