

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

T.A. No. 220 of 2019

DATE OF DECISION :- August 16, 2019

Karamjit Kaur

...Applicant

Versus

Jagpreet Singh Rathor

...Respondent

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

Present:- None for the applicant.

Applicant Karamjit Kaur, aged about 29 years, estranged wife of Jagpreet Singh Rathor-respondent, presently residing with her parents at Moga, on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Section 13 of the Hindu Marriage Act filed by her husband Jagpreet Singh Rathor against her having title 'Jagpreet Singh Rathor Vs. Karamjit Kaur' pending in the Court of Principal Judge, Family Court, Hoshiarpur to the Court of competent jurisdiction at Moga.

According to the applicant, she got married with the respondent on 31.3.2016. Her husband is an NRI and after the marriage he returned to Canada. When he came back to India the applicant and her parents observed that he was a drug addict. He was got admitted in Jeevanjot Drug De-addiction Centre at Kharar where he remained for five months and thereafter he was discharged. The respondent did not resume cohabitation with the applicant rather she was not allowed to reside in the matrimonial home. The respondent again went back to Canada and demanded 30,000 Dollars for allowing the applicant to join his company in Canada. Now the respondent has filed the divorce petition through his

sister as a power of attorney against the applicant. The applicant being a young woman, having financial constraints, it is difficult for her to travel from her parental place to Hoshiarpur to attend the dates of hearing in the Court there, covering a distance of about 130 kms on one side, therefore, the application be accepted.

Notice of the application was given to the respondent, who as per office report has been duly served but he has not turned up to offer a contest.

I have perused the record.

Keeping in view the contentions in the application 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 The petition in question is ordered to be withdrawn from the Court of Principal Judge, Family Court, Hoshiarpur and transferred to Family Court at Moga for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 18.9.2019. Copies of orders be sent to the Court of Principal Judge, Family Court, Hoshiarpur as well as to the Family Court at Moga for information and necessary compliance.

(H.S. MADAAN)
JUDGE

August 16, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No