

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

T.A. No. 248 of 2019

DATE OF DECISION :- August 16, 2019

Radhika Sally

...Applicant

Versus

Pawan Dass

...Respondent

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

Present:- None for the applicant.

Applicant Radhika Sally, aged about 22 years, estranged wife of Pawan Dass-respondent, presently residing with her parents at Jalandhar, on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Section 9 of the Hindu Marriage Act filed by her husband Pawan Dass against her having title 'Pawan Dass Vs. Radhika Sally' pending in the Court of Principal Judge, Family Court, Patiala to the Court of competent jurisdiction at Jalandhar.

According to the applicant, the marriage performed between the parties on 30.9.2017 ran into rough weather on account of demand of dowry raised by respondent and his family members from the applicant. She was used to be given beatings also. Ultimately she had left the matrimonial home and started residing with her mother. She has filed a petition under Section 125 Cr.P.C. and one under Section 12 of Protection of Women from Domestic Violence Act, 2005 against the respondent in the Courts at Jalandhar. As a counter blast the respondent has filed the petition in question against the applicant just to harass and cause inconvenience to her. The applicant does not have any source of income and it is

difficult for her to travel from her parental place to Patiala to attend the dates of hearing in the Court there, therefore, the application be accepted.

Notice of the application was given to the respondent, who as per office report refused to accept notice and affixation has been done.

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 The petition in question is ordered to be withdrawn from the Court of Principal Judge, Family Court, Patiala and transferred to Family Court at Jalandhar for disposal in accordance with law.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, Patiala as well as to the Family Court at Jalandhar for information and necessary compliance.

(H.S. MADAAN)
JUDGE

August 16, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No