

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

T.A. No. 249 of 2019

DATE OF DECISION :- August 14, 2019

Neetu Gupta

...Applicant

Versus

Vishal Gupta

...Respondent

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

Present:- None for the applicant.

None for the respondent.

Applicant Neetu Gupta, aged about 29 years, wife of Vishal Gupta-respondent, presently residing with her parents at Karnal on account of matrimonial differences 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 Vishal Gupta against her having title 'Vishal Gupta Vs. Neetu Gupta' pending in the Court of Principal Judge, Family Court, Kurukshetra to the Court of competent jurisdiction at Karnal.

According to the applicant, the marriage performed between the parties on 5.12.2014 ran into rough weather on account of maltreatment and harassment meted out to the applicant by the respondent and his family members, for the reason of the applicant having not brought dowry up to their expectations. The couple was blessed with a male child namely Anshuman, aged about 3 years. The respondent left the applicant along with the minor child at her parental home on 18.1.2019 on a false pretext and did not come to take them back to the matrimonial home. She has filed a petition under Section 125 Cr.P.C. besides one under Section 12 of the

Protection of Women from Domestic Violence Act, 2005 against the respondent in the Courts at Karnal. According to the applicant, in view of the circumstance, it is difficult for her to travel from her parental place to Kurukshetra 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 has been duly served but he has not turned up to offer a contest.

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 The petition in question is ordered to be withdrawn from the Court of Principal Judge, Family Court, Kurukshetra and transferred to Family Court at Karnal for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 17.9.2019. Copies of orders be sent to the Court of Principal Judge, Family Court, Kurukshetra as well as to the Family Court at Karnal for information and necessary compliance.

(H.S. MADAAN)
JUDGE

August 14, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No