

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

TA-255-2019 (O&M)
Date of decision: 19.08.2019

Shivani

...Applicant

Versus

Astik Singla @ Ashu

...Respondent

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

Present: Mr. Lovish Rattan, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Shivani, aged about 22 years, estranged wife of respondent Astik Singla @ Ashu, presently residing with her parents at Jalandhar, on account of differences 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 'Astik Singla Vs. Shivani' pending in the Court of Addl. Civil Judge (Sr. Divn.), Sunam to the Court of competent jurisdiction at Jalandhar.

According to the applicant, the marriage solemnized between the parties on 07.03.2018 did not work. The couple was not blessed with any child. Due to inability of applicant to get demands of more dowry raised by the respondent and his family members met from her parents, she was harassed and maltreated and ultimately turned out of the matrimonial home. She had no other place to go except the house of her parents at Jalandhar, where she is putting up presently. She does not have

any source of income and is dependent upon her parents for meeting her financial needs. She has filed a petition under Section 125 Cr.P.C. against the respondent in a Court at Jalandhar. The respondent has filed the petition in question against the applicant just to harass her. Under the circumstances, it is difficult for the applicant to travel from her parental place to Sunam to attend the dates of hearing in the Court there, covering a distance of about 150 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 The petition in question is ordered to be withdrawn from the Court of Addl. Civil Judge (Sr. Divn.), Sunam and transferred to Family Court at Jalandhar for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 20.09.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

19.08.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No