

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

T.A. No. 250 of 2019

DATE OF DECISION :- August 16, 2019

Priyanka

...Applicant

Versus

Akshey

...Respondent

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

Present:- None for the applicant.

Applicant Priyanka, aged about 28 years, wife of Akshey-respondent, presently residing with her parents at Rohtak 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 Akshey against her having title 'Akshey Vs. Priyanka' pending in the Court of Additional Principal Judge, Family Court, Sonipat to the Court of competent jurisdiction at Rohtak.

According to the applicant, the marriage performed between the parties on 6.12.2015 ran into rough weather, however, the couple was blessed with a son. After some time of the marriage, the respondent and his family members started raising demand of dowry from the applicant which could not get fulfilled from her parents, as such she was harassed and maltreated and ultimately thrown out of the matrimonial home while she was in the family way. She had not other place to go except the house of her parents where she is putting up presently. She had given birth to a son on 28.1.2017 at Rohtak but respondent did not turned up to meet the child. The applicant has filed a petition under Section 12 of Protection

of Women from Domestic Violence Act, 2005 against the respondent which is pending in the Court of CJM, Rohtak. As a counter blast the respondent has filed the petition in question against the applicant. Under the circumstances, it is difficult for her to travel from her parental place to Sonipat 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.

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 The petition in question is ordered to be withdrawn from the Court of Additional Principal Judge, Family Court, Sonipat and transferred to Family Court at Rohtak for disposal in accordance with law.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

(H.S. MADAAN)
JUDGE

August 16, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No