

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

TA-262-2019 (O&M)

Date of decision: 22.10.2019

Monika

...Applicant

Versus

Tarun

...Respondent

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

Present: Mr. Ajay Vijarania, Advocate for
Mr. Sumit Sangwan, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Monika, estranged wife of respondent Tarun, presently residing with her widowed mother at Village Gothra, Tehsil & District Charkhi Dadri, on account of matrimonial discord between the spouses, by way of filing the present application, seeks transfer of divorce petition, filed by her husband, the respondent against her having title 'Tarun Vs. Smt. Monika' pending in the Court of District Judge, Jhajjar to the Court of competent jurisdiction at Charkhi Dadri.

According to the applicant, she does not have any source of income and is dependent upon her parents for meeting her financial needs. She being a young woman, having lost her father, there is nobody in the parental family to accompany her to Jhajjar to attend the dates of hearing in a Court there, covering a distance of about 60 kms on one side. As a matter of fact, the divorce petition has been filed against her on false allegations, just to cause harassment and inconvenience to her. Therefore,

the present application be accepted.

Notice of the application was given to the respondent who was duly served and had appeared through counsel. The matter was referred to Mediation & Conciliation Centre but that did not prove successful. Subsequently, there has not been any representation on behalf of the respondent.

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 The petition in question is ordered to be withdrawn from the Court of District Judge, Jhajjar and transferred to Family Court at Charkhi Dadri for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 22.11.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

22.10.2019

sumit.k

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No