

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

TA-280-2019 (O&M)
Date of decision: 19.08.2019

Ranjeet Kaur

...Applicant

Versus

Mangal Singh and another

...Respondents

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

Present: Mr. Aditya Sanghi, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Ranjeet Kaur, aged about 28 years, estranged wife of respondent No.1 Mangal Singh, presently residing with her parents at Fatehabad, 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, respondent No.1 against her having title 'Mangal Singh Vs. Ranjeet Kaur' pending in the Court of Principal District Judge, Family Court, Bhiwani to the Court of competent jurisdiction at Tohana, District Fatehabad.

According to the applicant, she was married with the respondent No.1 on 24.01.2016. Thereafter, they started residing together, however, respondent No.1 and his family members were not happy with the dowry items given by parents of the applicant at the time of marriage and they used to harass and maltreat her, so as to force her to bring more dowry, which demand she could not get fulfilled from her parents. The couple was blessed with a male child on 03.09.2018. After birth of the

child, respondent No.1 and his family members assaulted the applicant on 27.10.2018 at about 7 AM. She received injuries. The applicant submitted a complaint to the police but no action was taken. The applicant is presently residing with her parents along with minor son. 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 provision of Protection of Women from Domestic Violence Act, 2005 against respondent No.1 in Court at Tohana. Respondent No.1 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 Bhiwani to attend the dates of hearing in the Court there, covering a distance of about 110 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to respondent No.1 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 Principal District Judge, Family Court, Bhiwani and transferred to the Court of learned District Judge, Fatehabad for disposal

in accordance with law. Learned District Judge, Fatehabad may retain the petition on his board or assign it to any other Court of competent jurisdiction.

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 :	Yes	No
Whether Reportable :	Yes	No