

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

T.A. No. 298 of 2019

DATE OF DECISION :- October 29, 2019

Amonika @ Monika @ Mona

...Applicant

Versus

Bhushan

...Respondent

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

Present:- Mr. KVS Ahluwalia, Advocate for the applicant.

Applicant Amonika @ Monika @ Mona, aged about 26 years, estranged wife of Bhushan-respondent, presently residing with her parents at Sirsa, 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 Bhushan against her having title 'Bhushan vs. Amonika @ Monika @ Mona' pending in the Court of Principal Judge, Family Court, Panipat to the Court of competent jurisdiction at Dabwali, District Sirsa.

According to the applicant after the marriage was solemnized between the parties, she was harassed and maltreated. The respondent is a drug addict. The couple was blessed with a male child on 26.12.2018. Circumstances were so created by the respondent that the applicant had to leave the matrimonial home. She along with her minor son is residing with her parents at Mandi Dabwali The respondent has filed petition in question against her as a pressure tactic. Under the circumstances, it is difficult for her to travel from her parental place to Panipat covering a distance of about

400 kms on one side, therefore, the application be accepted.

Notice of the application was given to the respondent, who was duly served and had put in appearance through counsel. The matter was referred to mediation, however, since respondent was not appearing there, mediation was proved to be unsuccessful. The case was received back in this Court. Thereafter there was no representations 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 The petition in question is ordered to be withdrawn from the Court of Principal Judge, Family Court, Panipat and transferred to Family Court at Dabwali, District Sirsa for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 28.11.2019. Copies of orders be sent to the Court of Principal Judge, Family Court, Panipat as well as to the Family Court at Dabwali, District Sirsa for information and necessary compliance.

(H.S. MADAAN)
JUDGE

October 29, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No