

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

TA-318-2019 (O&M)
Date of decision: 19.08.2019

Shehnaz Verma

...Applicant

Versus

Mithun Verma

...Respondent

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

Present: Mr. Sandeep Singh, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Shehnaz Verma, aged about 26 years, estranged wife of respondent Mithun Verma, presently residing with her parents at Talwara Township, Tehsil Mukerian, District Hoshiarpur, on account of differences between the spouses, by way of filing the present application, seeks transfer of petition under Section 10 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Mithun Verma Vs. Shehnaz Verma' pending in the Court of Principal Judge, Family Court, Gurdaspur, to the Court of competent jurisdiction at Mukerian, District Hoshiarpur.

According to the applicant, the marriage solemnized between the parties on 18.04.2016 did not work on account of demand of dowry raised by the respondent and his family members from the applicant, which demand she could not get fulfilled from her parents. She was harassed, maltreated, though, the applicant had conceived but the pregnancy could not mature and she suffered a miscarriage. She was

turned out of the matrimonial home and she had no other place to go except the house of her parents at Talwara Township, Tehsil Mukerian, District Hoshiarpur, where she is putting up presently. The applicant 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 Court at Hoshiarpur where respondent has put in appearance. The respondent has filed the petition in question against the applicant just to harass her. The applicant being a young woman, having financial constraints, it is difficult for the applicant to travel from her parental place to Gurdaspur to attend the dates of hearing in the Court there, covering a distance of about 90 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 Principal Judge, Family Court, Gurdaspur and transferred to Family Court at Hoshiarpur, who may take up the case at Mukerian, if such Court is held there, 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 :	Yes	No
Whether Reportable :	Yes	No