

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

T.A. No. 351 of 2019

DATE OF DECISION :- July 26, 2019

Ranjna Dhiman

...Applicant

Versus

Munish Kumar Sharma

...Respondent

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

Present:- Ms. Ranjna Dhiman-applicant in person.

Applicant Ranjna Dhiman, aged about 29 years, wife of Munish Kumar Sharma-respondent, presently residing with her parents at Ambala 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 Munish Kumar Sharma against her having title 'Munish Kumar Sharma Vs. Ranjna Dhiman' pending in the Court of District Judge, Family Court, Barnala to the Court of competent jurisdiction at Ambala.

According to the applicant, the marriage performed between the parties on 15.4.2016 ran into rough weather though the couple was blessed with a son namely Adrit born on 14.2.2017. The circumstance were so created by the respondent that the applicant along with minor son had to leave the matrimonial home and start residing with her parents at Ambala.

The applicant does not have any source of income. She has filed a petition under Section 125 Cr.P.C. for herself and the minor son against the respondent which is pending in the Court at Ambala. She has also filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 at Ambala against the respondent and his family members. She has further lodged an F.I.R. No. 0459 dated 14.12.2018 for offences under Sections 323, 406, 498-A, 506 IPC with Police Station, Ambala City. The respondent has filed petition under Section 9 of the Hindu Marriage Act against the applicant just to harass and cause inconvenience to the applicant. The applicant being a young woman, taking care of minor son of the parties, having financial constraints, it is difficult for her to travel from Ambala City to Barnala covering a distance of 150 kms on one side so as 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 heard the applicant in person 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, Family Court, Barnala and transferred to Family Court at Ambala for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 27.8.2019. Copies of orders be sent to the Court of District Judge, Family Court, Barnala as well as to the Family Court at Ambala for information and necessary compliance.

**(H.S. MADAAN)
JUDGE**

July 26, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No