

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

TA-348-2019 (O&M)

Date of decision: 16.09.2019

Sheetal @ Preeti

...Applicant

Versus

Sushil Kumar

...Respondent

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

Present: Mr. J.S. Hooda, Advocate for
Mr. S.S. Virk, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Sheetal @ Preeti, aged about 35 years, estranged wife of respondent Sushil Kumar, presently residing at her parental place at Ambala City, on account of matrimonial discord between the spouses, by way of filing the present application, seeks transfer of petition under Section 26 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Sushil Kumar Vs. Sheetal Verma @ Preeti' pending in the Court of Addl. District Judge, Sangrur to the Court of competent jurisdiction at Ambala.

According to the applicant, the marriage solemnized between the parties on 21.04.2015 did not work, though, the couple was blessed with a daughter, namely Garvi, born on 09.02.2016. On account of cruelty meted out to the applicant at the hands of respondent and his family members in connection with demand of more dowry, the

applicant had to leave the matrimonial home. She had no other place to go except the house of her parents at Ambala. She has got registered an FIR No. 236 dated 01.09.2015, under Sections 406, 498-A and 323 IPC against the respondent at PS City Sangrur. She does not have any source of income and is dependent upon her parental family members for meeting her financial needs and those of minor daughter of the parties. The respondent has filed the petition in question against the applicant just to harass her. The applicant being a young woman, having no source of income, it is difficult for her to travel from her parental place to Sangrur, to attend the dates of hearing in the Court there, covering a distance of about 115 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 The petition in question is ordered to be withdrawn from the Court of Addl. District Judge, Sangrur and transferred to Family Court at Ambala for disposal in accordance with

law.

The parties are directed to appear in the transferee Court on 18.10.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

16.09.2019
sumit.k

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No