

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

T.A. No. 352 of 2019

DATE OF DECISION :- August 16, 2019

Sharmila

...Applicant

Versus

Randeep

...Respondent

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

Present:- Mr. Ajit Sihag, Advocate for the applicant.

Applicant Sharmila, aged about 21 years, estranged wife of Randeep-respondent, presently residing with her parents at Bhiwani, 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 Randeep against her having title 'Randeep Vs. Sharmila' pending in the Court of Principal District Judge, Family Court, Hisar to the Court of competent jurisdiction at Bhiwani.

According to the applicant, the marriage performed between the parties on 11.12.2014 did not work properly. The couple was not blessed with any child. On account of differences between the parties, the applicant was forced to leave the matrimonial home and start residing with her parents. She has lodged an F.I.R. under Section 498A against the respondent in which challan has been filed. She has filed a petition under Section 125 Cr.P.C. against the respondent. As a counter blast the respondent has filed the petition in question against the applicant just to harass and cause inconvenience to her. She being a young woman, having no source of income, it is difficult for her to travel from her parental place to Hisar

covering a distance of 90 kms on one side 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 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 The petition in question is ordered to be withdrawn from the Court of Principal District Judge, Family Court, Hisar and transferred to Family Court at Bhiwani for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 18.9.2019. Copies of orders be sent to the Court of Principal District Judge, Family Court, Hisar as well as to the Family Court at Bhiwani for information and necessary compliance.

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

August 16, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No