

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

T.A. No. 346 of 2019

DATE OF DECISION :- December 16, 2019

Simran @ Pinky

...Applicant

Versus

Sandeep

...Respondent

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

Present:- Mr. I.S. Pabla, Advocate for the applicant.

Applicant Simran @ Pinky, aged about 32 years, estranged wife of Sandeep-respondent, presently residing with her parents at Charkhi Dadri, on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Sections 13(ia) & (ib) of the Hindu Marriage Act filed by her husband Sandeep against her having title 'Sandeep vs. Simran @ Pinky' pending in the Court of Principal District Judge, Family Court, Karnal to the Court of competent jurisdiction at Charkhi Dadri.

According to the applicant, the marriage performed between the parties on 15.2.2009 ran into rough weather. On account of harassment by respondent and his family members, she had to leave the matrimonial home and start residing with her parents at Charkhi Dadri. She does not have any source of income, therefore, it is difficult for her to travel from her parental place to Karnal, covering a distance of 169 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 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 The petition in question is ordered to be withdrawn from the Court of Principal District Judge, Family Court, Karnal and transferred to Family Court at Charkhi Dadri for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 13.1.2020. Copies of orders be sent to the Court of Principal District Judge, Family Court, Karnal as well as to the Family Court at Charkhi Dadri for information and necessary compliance.

(H.S. MADAAN)
JUDGE

December 16, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No