

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

TA-392-2019 (O&M)

Date of decision: 16.07.2019

Monika

...Applicant

Versus

Sandeep Kumar

...Respondent

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

Present: Ms. Kamlesh, Advocate for
Mr. Parminder Singh, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Monika, aged about 30 years, estranged wife of respondent Sandeep Kumar, presently residing with her parents at Village Jattal, Tehsil & District Panipat, on account of matrimonial discord between the spouses, by way of filing the present application, seeks transfer of petition under Sections 11 & 12 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Sandeep Kumar Vs. Monika' pending in the Court of District Judge, Sonapat to the Court of competent jurisdiction at Panipat.

According to the applicant, she does not have any source of income and is dependent upon her parents for getting her financial needs met; that she has lodged an FIR against the respondent at Panipat, in which case, the challan has been filed and the trial against the respondent is going on. 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 her to travel from her parental place to Sonapat

to attend the dates of hearing in the Court there. 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.

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 The petition in question is ordered to be withdrawn from the Court of District Judge, Sonapat and transferred to Family Court at Panipat for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 19.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

16.07.2019

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(H.S. MADAAN)
JUDGE

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