

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

TA-403-2019 (O&M)

Date of decision: 15.07.2019

Geeta

...Applicant

Versus

Vikas Kumar

...Respondent

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

Present: Mr. Vinod Pundir, Advocate for
Mr. Satbir Rathore, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Geeta, aged about 30 years, estranged wife of respondent Vikas Kumar, presently residing with her parents at PO Behlolpur, Tehsil & District SAS Nagar (Mohali), on account of differences between the parties, by way of filing the present application, seeks transfer of divorce petition, filed by her husband, the respondent against her having title 'Vikas Kumar Vs. Geeta' pending in the Court of Principal Judge, Family Court, Yamuna Nagar at Jagadhri to the Court of District Judge, SAS Nagar (Mohali) .

According to the applicant, she is not working anywhere and does not have any source of income; that she has filed a petition under Section 125 Cr.P.C against the respondent in Court at Kharar, District SAS Nagar (Mohali); that the respondent is having custody of minor son of the parties, presently aged about 08 years and she has brought a petition for seeking his custody in Court at SAS Nagar (Mohali). She

being a young woman, having financial constraints, it is difficult for the applicant to travel from SAS Nagar (Mohali) to Yamuna Nagar at Jagadhri to attend the dates of hearing in the Court there, covering a distance of about 125 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 The petition in question is ordered to be withdrawn from the Court of Principal Judge, Family Court, Yamuna Nagar at Jagadhri and transferred to the Court of learned District Judge, SAS Nagar (Mohali) for disposal in accordance with law. Learned District Judge, SAS Nagar (Mohali) may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties are directed to appear in the transferee Court on 16.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

15.07.2019

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

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No