IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA-416-2019 (O&M)
Date of decision: 03.09.2019

Rajni

...Applicant

Versus

Sunny

...Respondent

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

Present: Mr. S.K. Tripathi, Advocate for the applicant.

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H.S. MADAAN, J. (Oral)

Applicant Rajni, aged about 31 years, estranged wife of respondent Sunny, presently residing with her parents at Rewari, on account of matrimonial discord between the spouses, by way of filing the present application, seeks transfer of divorce petition, filed by her husband, the respondent against her having title 'Sunny Vs. Rajni' pending in the Court of District Judge, Family Court, Jind to the Court of competent jurisdiction at Rewari.

As per version of the applicant, she has lodged an FIR No. 251 dated 02.08.2018 for offences under Sections 498-A etc. IPC against the respondent at Police Station City Rewari. She has also filed a petition under Section 125 Cr.P.C. against the respondent in Court at Rewari. The respondent has filed the petition in question against the applicant just to harass her. The applicant does not have any source of income and is dependent upon her parents for meeting her financial needs. It is difficult for her to travel from her parental place to Jind, to attend the dates of

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hearing in the Court there, covering a distance of about 170 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Jind and transferred to Family Court at Rewari for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 14.10.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

03.09.2019 **(H.S. MADAAN)**
sumit.k **JUDGE**

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

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