

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

TA-457-2019 (O&M)
Date of decision: 26.09.2019

Poonam

...Applicant

Versus

Amit Kumar

...Respondent

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

Present: Mr. Gaurav Singla, Advocate for
Mr. Sanjiv Gupta, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Poonam, aged about 34 years, estranged wife of respondent Amit Kumar, presently residing with her parents at Gharaunda, District Karnal, 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 'Amit Kumar Vs. Poonam' pending in the Court of District Judge, Family Court, Sonapat to the Court of competent jurisdiction at Karnal.

According to the applicant, on account of harassment and maltreatment meted out to the applicant at the hands of respondent in connection with demand of more dowry, she was forced to leave the matrimonial home and start residing with her parents at Gharaunda, District Karnal. She does not have any source of income. She is taking care of minor daughter of the parties, who is aged around 06 years. She has filed a petition under provisions of Protection of Women from

Domestic Violence Act, 2005 against the respondent in Court at Karnal.

The respondent has filed the petition in question against the applicant just to harass her. The applicant being a young woman, having no source of income, 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 and submitted a written reply in the registry. He opposed the application, praying for its dismissal but today there is no representation on behalf of the respondent.

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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Sonapat and transferred to Family Court at Karnal for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 29.10.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

26.09.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :

Yes No

Whether Reportable :

Yes No