

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

TA-470-2019 (O&M)

Date of decision: 02.09.2019

Savita Devi

...Applicant

Versus

Parvesh Kumar

...Respondent

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

Present: None for the applicant.

Mr. Sudhir Rana, Advocate for the respondent.

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**H.S. MADAAN, J. (Oral)**

Applicant Savita Devi, aged about 21 years, estranged wife of respondent Parvesh Kumar, presently residing with her parents at Bhiwani, on account of matrimonial discord between the spouses, by way of filing the present application, seeks transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Parvesh Kumar Vs. Savita' pending in the Court of Civil Judge (Jr. Divn.), Chandigarh to the Court of competent jurisdiction at Bhiwani.

According to the applicant, she was married with the respondent on 01.12.2015. Thereafter, they started residing together and were blessed with a son, namely, Master Jatin. The applicant was harassed and maltreated on account of demand of more dowry raised by the respondent and his family members, which she could not get

fulfilled from her parents. The applicant was forced to leave the matrimonial home and started residing with her parents at Bhiwani. She does not have any source of income. The applicant has filed three cases against the respondent i.e. a criminal complaint under Sections 498-A and 406 of IPC, a complaint under provisions of Protection of Women from Domestic Violence Act, 2005 and a petition under Section 125 Cr.P.C. in Courts at Bhiwani. The respondent has filed the petition in question against the applicant just to harass her. The applicant being a young woman, taking care of minor son of the parties, it is difficult for her to travel from her parental place to Chandigarh, to attend the dates of hearing in the Court there, covering a distance of about 300 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who put in appearance through counsel, vehemently contesting the application and praying for its dismissal.

I have heard learned counsel for the respondent besides going through the record.

Keeping in view the contentions in the application, 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 Civil Judge (Jr. Divn.),

Chandigarh and transferred to Family Court at Bhiwani for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 04.10.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

02.09.2019

*sumit.k*

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

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