

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

T.A. No. 495 of 2019

DATE OF DECISION :- November 20, 2019

Smt. Ekta

...Applicant

Versus

Bhanu Partap

...Respondent

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

Present:- Mr. N.S. Dhillon, Advocate for the applicant.

Applicant Smt. Ekta, aged about 32 years, estranged wife of Bhanu Partap-respondent, presently residing with her parents at Kurukshetra on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Section 13 of the Hindu Marriage Act filed by her husband Bhanu Partap against her having title 'Bhanu Partap Vs. Smt. Ekta' pending in the Court of District Judge, Additional Family Court, Hisar to the Court of competent jurisdiction at Kurukshetra.

According to the applicant, the marriage performed between the parties on 6.3.2007 ran into rough weather on account of cruelty and harassment by the respondent. She had to leave the matrimonial home and start residing with her parents. She does not have any source of income. She is taking care of minor daughter of the parties, born on 29.5.2013. It is

difficult for her to travel from her parental place to Hisar covering a distance of about 200 kms on one side so as to attend the dates of hearing in the Court there, therefore, the application be accepted.

Notice of the application was given to the respondent, who as per office report has been duly served but has not turned up 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Additional Family Court, Hisar and transferred to Family Court at Kurukshetra for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 18.12.2019. Copies of orders be sent to the Court of District Judge, Additional Family Court, Hisar as well as to the Family Court at Kurukshetra for information and necessary compliance.

(H.S. MADAAN)
JUDGE

November 20, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No