

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

Sr. No.261

**TA No.522 of 2019 (O&M)
DECIDED ON: October 30, 2019**

SUNITA RANI @ SUNITA @ SHALLU

..APPLICANT

VERSUS

RAHUL BOHIT

...RESPONDENT

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

Present: Mr. Jagmeet Singh Moudgill, Advocate,
for the applicant.

H.S. MADAAN, J. (ORAL)

This application for transfer of petition under Section 9 of Hindu Marriage Act, 1955 filed by the respondent-Rahul Bohit, titled 'Rahul Bohit Vs. Sunita @ Shallu' pending before Civil Judge (Junior Division), Chandigarh, to the Court of competent jurisdiction at Mansa, Punjab, has been filed by applicant – Sunita Rani @ Sunita @ Shallu aged about 20 years, estranged wife of Rahul Bohit, who is respondent in the present application, presently residing with her parents at Mansa, due to differences between the spouses.

According to the applicant, the marriage solemnized between the parties on 11.03.2016, did not prove to be successful. Though, the couple was blessed with a son namely Adhi. The applicant is taking care of minor son of the parties, who was born on 29.01.2017. The applicant has filed a petition under Section 125 Cr.P.C. claiming maintenance for herself and the minor son against the respondent, which is pending at Mansa. As a pressure tactic, the respondent has filed a petition under Section 9 of Hindu

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Marriage Act, 1955 against her, which is pending before Civil Judge (Junior Division), Chandigarh. Under the circumstances, it is difficult for her to travel from Mansa to Chandigarh covering a distance of 185 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 was duly served but did not put in appearance 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, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question is ordered to be withdrawn from the Court of Civil Judge (Junior Division), Chandigarh and transferred to the Court of District Judge, Mansa, for disposal in accordance with law. Learned District Judge, Mansa may retain the petition on his board or assign it to any other Court of competent jurisdiction.

Parties through counsel are directed to appear in the transferee Court on 29.11.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

October 30, 2019

Ankur

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

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No