

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

TA-518-2019 (O&M)

Date of decision: 18.09.2019

Pooja

...Applicant

Versus

Kuldeep

...Respondent

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

Present: Mr. Ajit Sihag, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Pooja, aged about 25 years, estranged wife of respondent Kuldeep, presently residing with her parents at Hisar, 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 'Kuldeep Vs. Pooja' pending in the Court of District Judge, Family Court, Fatehabad to the Court of competent jurisdiction at Hisar.

According to the applicant, she does not have any source of income and is dependent upon her parents for meeting her financial needs and those of her three minor children residing with her. She has filed a petition under Section 125 Cr.P.C. besides another petition under provisions of Protection of Women from Domestic Violence Act, 2005 against the respondent in Courts at Hisar. She has also got registered an FIR No. 0037 dated 21.02.2019 under Sections 498-A etc. IPC against

the respondent at PS Sadar, Tohana, District Fatehabad. The respondent has filed the petition in question against the applicant just to harass her. Under the circumstances, it is difficult for her to travel from her parental place to Fatehabad 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 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Fatehabad and transferred to Family Court at Hisar for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 21.10.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

18.09.2019

sumit.k

(H.S. MADAAN)
JUDGE

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