

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

T.A. No. 513 of 2019

DATE OF DECISION :- November 25, 2019

Pooja Rani

...Applicant

Versus

Manoj

...Respondent

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

Present:- Mr. Ram Kumar Saini, Advocate for the applicant.

Applicant Pooja Rani, aged about 25 years, estranged wife of Manoj-respondent, presently residing with her parents at Hisar on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Sections 13(1)(ia)(ib) of the Hindu Marriage Act filed by her husband Manoj against her having title 'Manoj Vs.Pooja Rani' pending in the Court of Additional Principal Judge, Family Court, Bhiwani to the Court of competent jurisdiction at Hisar.

According to the applicant, the marriage solemnized between the parties on 5.12.2014 ran into rough weather. On account of demand of more dowry raised by respondent and his family members, she had to leave the matrimonial home and start residing with her parents. She is taking care of minor son of the parties namely Krish, born on 4.7.2016. The applicant has lodged a complaint under Section 498A/406 IPC at Hisar. She has also filed petition under Section 125 Cr.P.C. before Family Court, Hisar. As a counter blast, the respondent has filed the petition in question at Bhiwani. She does not have any source of income and is dependent upon her parents for her and minor son of the parties for financial needs. It is difficult for her to travel from

Hisar to Bhiwani covering a distance of about 50 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 he 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 The petition in question is ordered to be withdrawn from the Court of Additional Principal Judge, Family Court, Bhiwani and transferred to Family Court at Hisar for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 19.12.2019. Copies of orders be sent to the Court of Additional Principal Judge, Family Court, Bhiwani as well as to the Family Court at Hisar for information and necessary compliance.

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

November 25, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No