

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 540 of 2019 (O&M)

Date of decision : 29.10.2019

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Pooja Vema

.....Applicant

vs.

Pawan Kumar

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Rakesh Sobti, Advocate for the applicant.

None for the respondent.

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H. S. Madaan, J. (Oral)

This application for transfer of divorce petition, titled 'Pawan Kumar vs. Pooja ' pending before Additional District and Sessions Judge, Principal Judge, Family Court, Kurukshetra, to the court of competent jurisdiction at District Amritsar, Punjab, has been filed by applicant – Pooja Verma aged about 36 years, estranged wife of Pawan Kumar-who is respondent in the present application, presently residing with her parents at Amritsar, on account of matrimonial discord between the parties.

As per version of the applicant, the marriage solemnized between the parties on 22.11.2012, did not prove to be successful.

Though the couple was blessed with a daughter namely, Pratishta on 31.10.2013. On account of demand of more dowry raised by the respondent from the applicant, which demand she could not get fulfilled from her parents, the applicant was turned out of the matrimonial home. She had no other place to go except the house of her parents at Amritsar. She and her minor daughter are not having any source of income. Rather they are dependent upon parents of the applicant for their financial needs. The applicant has filed a petition under Section 125 Cr.P.C. claiming maintenance for herself and the minor daughter against the respondent in the Court at Amritsar. The respondent has brought the divorce petition, against the applicant as a counter blast. Under the circumstances, it is difficult for the applicant to travel from Amritsar to Kurukshetra to attend the dates of hearing in 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 pending in the court of Additional District and Sessions Judge, Principal Judge, Family Court, Kurukshetra, is withdrawn from that Court and transferred to the Family court, Amritsar, for disposal in accordance with law. Parties through counsel are directed

to appear there on 28.11.2019.

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

29.10.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned

Yes/ No

Whether reportable

Yes/ No