

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

TA-564-2019 (O&M)

Date of decision: 19.11.2019

Savita Devi

...Applicant

Versus

Ajay Kumar

...Respondent

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

Present: Mr. Pradeep Singh, Advocate for
Mohd. Yousaf, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Savita Devi, aged about 25 years, estranged wife of respondent Ajay Kumar, presently residing with her parents at Malerkotla, District Sangrur, 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 'Ajay Kumar Vs. Savita Devi' pending in the Court of Addl. District Judge, Charkhi Dadri to the Court of competent jurisdiction at Sangrur.

According to the applicant, the marriage solemnized between the parties on 04.02.2016 did not work on account of demand of dowry raised by the respondent from the applicant, though, the couple was blessed with a female child, namely Baby Annu on 17.10.2016. The applicant along with minor daughter of the parties was

forced to leave the matrimonial home and start residing with her parents. She does not have any source of income and is dependent upon her parents for meeting her financial needs. She has filed a petition under Section 125 Cr.P.C. against the respondent in Court at Sangrur. The respondent has filed the petition in question against the applicant just to harass her. The applicant being a young woman, having no source of income, it is difficult for her to travel from her parental place to Charkhi Dadri, to attend the dates of hearing in the Court there, covering a distance of about 200 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who was duly served but did not turn 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 The petition in question is ordered to be withdrawn from the Court of Addl. District Judge, Charkhi Dadri and transferred to the Court of learned District Judge, Sangrur for disposal in accordance with law. Learned District Judge, Sangrur may retain the petition on his board or assign it to any other Court of competent

jurisdiction.

The parties are directed to appear in the transferee Court on 18.12.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

19.11.2019

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(H.S. MADAAN)
JUDGE

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