

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

T.A. No. 598 of 2019 (O&M)

DATE OF DECISION :- November 18, 2019

Bhumika Gupta

...Applicant

Versus

Ankur Singhal

...Respondent

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

Present:- Mr. Gaurav Gupta, Advocate for the applicant.

Applicant Bhumika Gupta, aged about 33 years, estranged wife of Ankur Singhal-respondent, presently residing with her parents at Kaithal, on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Section 9 of the Hindu Marriage Act filed by her husband Ankur Singhal against her having title 'Ankur Singhal Vs. Bhumika Gupta' pending in the Court of District Judge, Family Court, Kurukshetra to the Court of competent jurisdiction at Kaithal.

According to the applicant, the marriage performed between the parties on 3.7.2011 at Ladwa, District Kurukshetra did not work. The applicant was harassed and maltreated for demand of more dowry by the respondent and his family members, which she could not get fulfilled, therefore, she had 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 fulfilling financial needs for her as well as for her minor daughter. She is taking care of minor daughter of the parties namely Anvi born on 20.11.2014. The applicant has lodged F.I.R. No.

273 dated 7.6.2019 at Police Station Pundri against the respondent. She has also filed petition under Section 125 Cr.P.C. for grant of maintenance to her. As a counter blast, the respondent has filed the petition in question against the applicant just to harass her. It is, difficult for her to travel from her parental place to Kurukshetra, covering a distance of about 65 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 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 The petition in question is ordered to be withdrawn from the District Judge, Family Court, Kurukshetra and transferred to Family Court at Kaithal for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 17.12.2019. Copies of orders be sent to the Court of District Judge, Family Court, Kurukshetra as well as to the Family Court at Kaithal for information and necessary compliance.

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

November 18, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No