

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

T.A. No. 622 of 2019 (O&M)

DATE OF DECISION :- November 20, 2019

Rekha Rani

...Applicant

Versus

Rajinder Kumar

...Respondent

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

Present:- Mr. Tarun Sharma, Advocate
for Mr. P.S. Jammu, Advocate for the applicant.

Applicant Rekha Rani, aged about 27 years, estranged wife of Rajinder Kumar-respondent, presently residing with her parents at Panipat 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 Rajinder Kumar against her having title 'Rajinder Kumar Vs. Rekha Rani' pending in the Court of Presiding Judge, Family Court, Panchkula to the Court of competent jurisdiction at Panipat.

According to the applicant, the marriage performed between the parties on 4.12.2017 did not work on account of demand of more dowry by the respondent and his family members, therefore, she had to leave the matrimonial home in the year 2019 and start residing with her parents. The applicant has lodged a complaint under Sections 498-A, 406 IPC against the respondent and his family members at Panipat besides that another petition under Section 125 Cr.P.C. for grant of maintenance to her. She is taking

care of minor son of the parties namely Aadi. She does not have any source of income. It is difficult for her to travel from her parental place to Panchkula covering a distance of about 200 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 The petition in question is ordered to be withdrawn from the Court of Presiding Judge, Family Court, Panchkula and transferred to Family Court at Panipat for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 18.12.2019. Copies of orders be sent to the Court of Presiding Judge, Family Court, Panchkula as well as to the Family Court at Panipat for information and necessary compliance.

(H.S. MADAN)
JUDGE

November 20, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No