

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

TA-753-2019 (O&M)

Date of decision: 05.09.2019

Jyoti

...Applicant

Versus

Nitesh

...Respondent

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

Present: Mr. Aman Bansal, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Jyoti, aged about 25 years, estranged wife of respondent Nitesh, presently residing at Chandigarh, by way of filing the present application, seeks transfer of divorce petition, filed by her husband, the respondent against her having title 'Nitesh Vs. Jyoti' pending before Principal Judge, Family Court, Jind to the Court of competent jurisdiction at Chandigarh.

According to the applicant, the marriage solemnized between the parties on 11.11.2017 at Karnal did not work on account of harassment and maltreatment meted out to the applicant at the hands of respondent and his family members in connection with demand of more dowry. The applicant was forced to leave the matrimonial home. The respondent has filed the petition in question against her in Court at Jind. The applicant is seeking transfer of that divorce petition to the Court of competent jurisdiction at Chandigarh for the reason that she is

residing in a rented accommodation at Chandigarh and preparing for further studies. The parental house of the applicant is at Jind. Her husband is also a resident of Jind. The divorce petition is pending in a Court at Jind. Merely, because the applicant is residing at Chandigarh for making preparation for her higher education is no ground to transfer the divorce petition to the Court of competent jurisdiction at Chandigarh. Suppose, if tomorrow, the applicant has to go to any other place in connection with her job or training etc., then the case cannot be transferred to that place for such a reason. In my considered view, there is no ground to accept the application and transfer the petition in question to the Court of competent jurisdiction at Chandigarh. Accordingly, finding no merit in the instant application, the same stands dismissed.

05.09.2019
sumit.k

(H.S. MADAAN)
JUDGE

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