

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 802 of 2019 (O&M)

Date of decision : 14.10.2019

...

Mamta

.....Applicant

vs.

Parveen Chopra

.....Respondent

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

Present: Mr. Rahul Deswal, Advocate for the applicant.

None for the respondent.

...

H. S. Madaan, J. (Oral)

Applicant – Mamta, aged about 31 years, estranged wife of Parveen Chopra, presently residing with her parents at Bahadurgarh, District Jhajjar, on account of matrimonial discord between the parties, by way of filing present application under Section 24 CPC, seeks transfer of divorce petition, filed by her husband, who is respondent in the present application, against her, having title 'Parveen Chopra vs. Mamta' pending in the Court of Additional District Judge, Jind, to a Court of competent jurisdiction at Jhajjar.

As per version of the applicant, she alongwith minor son of the parties aged about 5 years, is residing with her parents at Bahadurgarh, District Jhajjar. She does not have any source of income. She has filed a petition under Section 125 Cr.P.C. against the respondent at Jhajjar. She has also lodged an FIR No. 66 dated

28.3.2017, for offence under Section 498-A IPC, with Police Line Par Bahadurgarh, Jhajjar, against the respondent at Jhajjar, where challan has been filed and the respondent-accused is facing trial in the Court at Jhajjar. Under the circumstances, it is difficult for the applicant to travel from her parental place to Jind, to attend the dates of hearing in Court there, covering a distance of about 100 kms on one side. Therefore the application be accepted.

Notice of the application was given to the respondent, who was duly served but has 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 The petition in question pending in the court of Additional District Judge, Jind, is withdrawn from that Court and transferred to the Family Court, Jhajjar, for disposal in accordance with law. Parties through counsel are directed to appear there on 14.11.2019.

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

14.10.2019
chugh

(H.S. Madaan)
Judge

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No