

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TANo. 1001 of 2018 (O&M)

Date of decision : 14.1.2019

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Sakshita Jain

.....Applicant

vs.

Achal Jain

.....Respondent

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

Present: Mr. Ashwani Gaur, Advocate for the applicant.

Mr. Vishal Aggarwal, Advocate for the respondent.

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H. S. Madaan, J. (Oral)

This application for transfer of divorce petition under Section 13 (1) (ia) of Hindu Marriage Act, 1955, filed by her husband, Achal Jain, against the applicant wife Sakshita Jain, having title 'Achal Jain vs. Sakshita Jain' pending in the Court of Additional Principal Judge, Family Court, Sonapat, to a Court of competent jurisdiction at Rohtak, has been filed mainly on two grounds, first being that the applicant being a woman aged about 28 years, presently residing with her parents at Rohtak, it is difficult for her to travel from her parental place to Sonapat to attend the dates of hearing there, more particularly, when she does not have any source of

income. The second ground taken is that three cases between the parties are pending in the Courts at Rohtak.

Notice of the application was given to the respondent, who has appeared through counsel.

The application is being opposed by the respondent – husband stating that the distance between the two places is not much and the applicant can very well appear in the Court at Sonapat and two cases are pending in the Court at Sonapat. Therefore, the application be dismissed.

After hearing learned counsel for the parties and going through the record, I find that ends of justice demand that the application should be accepted.

Accordingly, the application is accepted. The petition in question pending in the court of Additional Principal Judge, Family Court, Sonapat, is withdrawn from that Court and transferred to the Family Court at Rohtak, for disposal in accordance with law. Parties through counsel are directed to appear there on 11.2.2019.

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

14.1.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No