

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

T.A. No. 1008 of 2018

DATE OF DECISION :- July 11, 2019

Monika Nayyar Handa

...Applicant

Versus

Ashok Handa

...Respondent

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

Present:- Mr. Arun Goel, Advocate for the applicant.

Applicant Monika Nayyar Handa, aged about 44 years, wife of Ashok Handa-respondent, presently residing with her brother at Panchkula on account of differences 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 Ashok Handa against her having title 'Ashok Handa Vs. Monika Nayyar Handa' pending in the Court of District Judge (Family Court), Karnal to the Court of competent jurisdiction at Panchkula.

According to the applicant, her father has expired and she along with her widowed mother is putting up with her brother at Panchkula. She does not have any source of income. She has filed a petition under Section 125 Cr.P.C. against the respondent in the Court at Panchkula, where respondent has put in appearance. On account of the fact that applicant is a young woman and having financial constraints, it is difficult for her to travel

from Panchkula to Karnal 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 through his counsel in the trial Court 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 The petition in question is ordered to be withdrawn from the Court of District Judge (Family Court), Karnal and transferred to Family Court at Panchkula for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 13.8.2019. Copies of orders be sent to District Judge (Family Court), Karnal as well as to the Family Court at Panchkula for information and necessary compliance.

(H.S. MADAAN)
JUDGE

July 11, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No