

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

TA-1026-2018 (O&M)
Date of decision: 13.02.2019

Anita

...Applicant

Versus

Mahabir Singh

...Respondent

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

Present: Mr. Sumit Sangwan, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

This application for transfer of divorce petition titled as 'Mahabir Singh Vs. Anita' pending in the Court of Addl. District Judge, Panchkula to the Court of competent jurisdiction at Bhiwani has been filed by applicant/wife Anita, aged about 31 years.

According to the applicant, due to differences between her and her husband, she had to leave the matrimonial home and start residing with her parents at Village Hariyawas, Post Office Sidhanwa, Tehsil Behal, District Bhiwani. She is bringing up minor child of the parties, who is studying in a school at Behal. The applicant being a young woman, having no source of income, taking care of minor son of the parties, it is difficult for her to go from her parental place to Panchkula, to attend the dates of hearing in Court there covering a distance of about 335 kms on one side. The applicant has filed a petition under Section 9 of the Hindu Marriage Act as well as petition under Section 125 Cr.P.C., against the respondent in Courts of competent jurisdiction within

Bhiwani Session Division. Therefore, the present 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 appeared 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 The petition in question is ordered to be withdrawn from the Court of Addl. District Judge, Panchkula and transferred to Family Court at Bhiwani for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 13.03.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

13.02.2019

sumit.k

(H.S. MADAAN)
JUDGE

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