

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

TA-1028-2018 (O&M)

Date of decision: 06.09.2019

Laddi

...Applicant

Versus

Manjit Singh and another

...Respondents

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

Present: Mr. Vipin Mahajan, Advocate for the applicant.

Mr. R.S. Chauhan, Advocate for the respondent.

H.S. MADAAN, J. (Oral)

Applicant Laddi, aged about 25 years, estranged wife of respondent No.1 Manjit Singh, presently residing with her parents at Village Awankha Udhepur Morr, Dinanagar, Tehsil & District Gurdaspur, on account of matrimonial discord between the spouses, by way of filing the present application, seeks transfer of divorce petition, filed by her husband, respondent No.1 against her having title 'Manjit Singh Vs. Laddi and another' pending in the Court of District Judge, Family Court, Pathankot to the Court of competent jurisdiction at Gurdaspur.

According to the applicant, she got married with respondent No.1 on 14.01.2016 at Pathankot. Thereafter, they started residing together. The marriage was consummated and they were blessed with a daughter, namely, Ramneet Kaur on 09.10.2016. The

marriage ran into rough weather on account of frequent demands of dowry raised by respondent No.1 from the applicant, which she could not get fulfilled to his satisfaction. As such, she along with minor daughter of the parties was thrown out of the matrimonial home in the last week of May, 2018. She had no other place to go except the house of her parents at Village Awankha Udhepur Morr, Dinanagar, Tehsil & District Gurdaspur. She along with her minor daughter has filed a petition under Section 125 Cr.P.C. against the respondent in Court at Gurdaspur for grant of maintenance. Respondent No.1 has filed the petition in question against the applicant on the ground of cruelty and adultery, which allegations are stated to be false by the applicant. Under the circumstances, it is difficult for the applicant to travel from her parental place to Pathankot, to attend the dates of hearing in the Court there. Therefore, the present application be accepted.

Notice of the application was given to the respondent who put in appearance through counsel, filed written reply and is opposing the application vehemently, praying for its dismissal.

I have heard learned counsel for the parties besides going through the record.

A perusal of the copy of divorce petition in question goes to show that there are serious allegations with regard to moral character of the applicant. It has been alleged that while in the matrimonial home, the applicant had been talking on the mobile phone for long time

without disclosing identity of the person with whom she used to talk. Later on, respondent No.1 got the call details of mobile phone of the applicant as well as text messages exchanged on Whatsapp and was shocked to know that the applicant was having continuous telephonic, Whatsapp and physical relationship with respondent No.2 Lucky Ghuman, who had not got himself married and was waiting for the day when respondent No.1-Laddi, in the divorce petition, would get rid of her husband to enable her to enter into legal wedlock with respondent No.2. Call details of mobile phones of Lucky Ghuman and Neeraj have been placed on record as supporting documents. With such type of serious allegations, I do not find it proper and appropriate to accept the application and transfer the divorce petition in question to the Court of competent jurisdiction at Gurdaspur. The application being without any merit stands dismissed.

06.09.2019

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(H.S. MADAAN)
JUDGE

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