

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

TA-1029-2018 (O&M)
Date of decision: 16.09.2019

Arti

...Applicant

Versus

Lokesh Kumar @ Vinay

...Respondent

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

Present: Mr. Abhimanyu Singh, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Arti, aged about 30 years, estranged wife of respondent Lokesh Kumar @ Vinay, presently residing with her parents at Dharuhera, District Rewari, on account of matrimonial discord between the spouses, by way of filing the present application, seeks transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Lokesh Kumar @ Vinay Vs. Arti' pending in the Court of Principal Judge, Family Court, Gurugram to the Court of competent jurisdiction at Rewari.

According to the applicant, the marriage solemnized between the parties on 19.04.2017 did not work. Ultimately, the applicant was thrown out of the matrimonial home while she was in family way. She had no other place to go except the house of her parents at Dharuhera, District Rewari. She gave birth to a daughter, who was two months old at the time of filing of application. She does not have any source of income and is dependent upon her parents for meeting her financial needs. The

respondent has filed the petition in question against the applicant just to harass her. The applicant being a young woman, having no source of income, taking care of infant daughter of the parties, it is difficult for her to travel from her parental place to Gurugram, to attend the dates of hearing in the Court there, covering a distance of about 55 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who was duly served but did not appear 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 The petition in question is ordered to be withdrawn from the Court of Principal Judge, Family Court, Gurugram and transferred to Family Court at Rewari for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 18.10.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

16.09.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :

Yes No

Whether Reportable :

Yes No