

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

TA-1070-2018 (O&M)
Date of decision: 22.10.2019

Preeti

...Applicant

Versus

Naveen

...Respondent

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

Present: Mr. S.S. Duhan, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Preeti, aged about 21 years, estranged wife of respondent Naveen, presently residing with her parents at Village Brar Khera, Tehsil & District Jind, 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 'Naveen Vs. Preeti' pending before Principal District Judge, Family Court, Hisar to the Court of competent jurisdiction at Jind.

According to the applicant, she besides her sister were married with two brothers i.e. respondent Naveen and his brother. The marriage between the parties ran into rough weather. She is residing separately from her husband. She does not have any source of income and is dependent upon her parents for meeting her financial needs. She has filed a petition under Section 125 Cr.P.C. against the respondent in Court

at Jind. The respondent has filed the petition in question against the applicant just to harass her. Under the circumstances, it is difficult for her to travel from her parental place to Hisar, to attend the dates of hearing in the Court there, covering a distance of about 100 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 put in appearance 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 The petition in question is ordered to be withdrawn from the Court of Principal District Judge, Family Court, Hisar and transferred to Family Court at Jind for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 22.11.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

22.10.2019

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(H.S. MADAAN)
JUDGE

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