

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

T.A. No. 1114 of 2018

DATE OF DECISION :- February 20, 2019

Ravinder Kaur

...Applicant

Versus

Krishan Kumar

...Respondent

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

Present:- Mr. Abhishek Sharma, Advocate for the applicant.

By way of filing the present application, applicant Ravinder Kaur, aged about 32 years, estranged wife of Krishan Kumar-respondent seeks transfer of petition under Section 13 of the Hindu Marriage Act, 1955 filed by her husband Krishan Kumar against her having title 'Krishan Kumar Vs. Ravinder Kaur' pending in the Court of District Judge (Family Court) Barnala to the Court of competent jurisdiction at Sri Muktsar Sahib.

Interalia in the application it is contended that the marriage between the parties was performed on 11.11.2017. Thereafter they started residing together. However, the applicant was treated with cruelty by the respondent and his parents in connection with demand of dowry. She was turned out of the matrimonial home. She has no other place to go except house of her parents at Malot. The respondent has filed a divorce petition against her as a pressure tactic. The applicant contends that she being a young woman, having no source of income, it is difficult for her to travel from her parental place to Barnala covering a distance of about 110 kms on

one side so as to attend the dates of hearing there; that parents of the applicant are having various diseases, as such the application be accepted.

Notice of the application was given to the respondent, who as per office report has been served through his father but has not turned up. He is proceeded against ex-parte.

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 The petition in question is ordered to be withdrawn from the Court of District Judge (Family Court) Barnala and transferred to the Court of District Judge, Sri Muktsar Sahib for disposal in accordance with law. Learned District Judge, Sri Muktsar Sahib may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties through their counsel are directed to appear in the transferee Court on 18.3.2019. Copies of orders be sent to the Court of District Judge (Family Court) Barnala as well as to the Court of District Judge, Sri Muktsar Sahib for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 20, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No