

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

TA-1134-2018 (O&M)
Date of decision: 21.02.2019

Seema Saini @ Seema

...Applicant

Versus

Shamsher @ Sher Singh

...Respondent

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

Present: Mr. Ishan Gupta, Advocate
for the applicant.

H.S. MADAAN, J. (Oral)

This application for transfer of divorce petition titled as 'Shamsher @ Sher Singh Vs. Smt. Seema' pending in the Court of Addl. District Judge, Kaithal to the Court of competent jurisdiction at Jind, has been filed by applicant/wife Seema Saini @ Seema, aged about 36 years wife of respondent Shamsher @ Sher Singh, presently residing with her widowed mother at Jind on account of a matrimonial discord between the spouses.

According to the applicant, marriage performed between the parties on 14.04.2009, which was a second marriage for both of them, ran into rough weather. The applicant was having a daughter from her previous marriage, who is residing with her. The applicant had given birth to a male child from the loins of respondent, who is also residing with the applicant presently. The applicant is not having any source of income.

The respondent has filed divorce petition against her as a pressure tactics. She being a young woman, taking care of two minor children, having financial constraints, it is difficult for her to travel from Jind to Kaithal, covering a distance of 65 kms on one side to attend the dates of hearing in Court there. Therefore, the present application be accepted.

Notice of the application was given to the respondent who as per office report has been duly served but has not opted to appear and 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 The petition in question is ordered to be withdrawn from the Court of Addl.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, Kaithal and transferred to Family Court at Jind for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 19.03.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

21.02.2019

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(H.S. MADAAN)
JUDGE

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