

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

TA-164-2018 (O&M)

Date of decision: 15.01.2019

Komal Bajaj

...Applicant

Versus

Tarun

...Respondent

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

Present: Mr. Namit Gautam, Advocate
for the applicant.

Mr. G.S. Saini, Advocate for the respondent.

H.S. MADAAN, J. (Oral)

Applicant Komal Bajaj aged 28 years presently residing with the parents at Jalandhar, estranged wife of respondent by way of filing the present application is seeking transfer of divorce petition filed by her husband Tarun against her having title 'Tarun Vs. Komal Bajaj' pending before District Judge, Family Court, Pathankot to the Court of competent jurisdiction at Jalandhar.

Contending that being a young woman taking care of a female child of the parties, it is difficult for her to travel from Jalandhar to Pathankot covering a distance of about 120 kms on one side.

Notice of the application was given to the respondent, who has appeared through counsel filing reply apprehending danger to his life at the hands of the persons acquainted with the applicant stating that his mother had moved an application to the police in that regard, copy of

which has been attached.

I have heard learned counsel for the parties besides going through the record and I am of the view that it would be proper and appropriate if the divorce petition pending before District Judge, Family Court, Pathankot is withdrawn from there and transferred to the Court at a place which is near Jalandhar district but not at Jalandhar, so that, the apprehension of the respondent can also be taken into consideration. Therefore, the application is disposed of directing that the petition be withdrawn from the District Judge, Family Court, Pathankot and transferred to the Court of learned District Judge, Kapurthala for disposal in accordance with law. Learned District Judge, Kapurthala may retain the petition on his board or assign it to any other Court of competent jurisdiction. Kapurthala is stated to be at a distance of about 15 kms from Jalandhar.

The parties through their counsel are directed to appear in the transferee Court on 11.02.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

15.01.2019

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**(H.S. MADAAN)
JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No