

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

TA-195-2018 (O&M)

Date of decision: 13.02.2019

Meenu Sharma

...Applicant

Versus

Tejinder Joshi

...Respondent

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

Present: Mr. P.K. Ganga, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

By way of moving the present application, applicant Meenu Sharma, aged about 31 years, wife of respondent Tejinder Joshi, presently residing with her parents at Mandi Dabwali, District Sirsa, seeks transfer of divorce petition, filed by her husband, the respondent against her having title 'Tejinder JoshiVs. Meenu Sharma' pending in the Court of District Judge, Family Court, Faridkot to the Court of competent jurisdiction at Sirsa.

As per case of the applicant, marriage between the parties was solemnized on 25.02.2016. Thereafter, they started residing together but not blessed with any child. Soon after the marriage, the applicant was harassed by the respondent and his family members in connection with demand of more dowry. The applicant used to be given beatings by them. Under the circumstances, the applicant was forced to leave the matrimonial home and start residing with her parents at Mandi Dabwali.

The applicant has filed a petition under Protection of Women from

Domestic Violence Act, 2005 against the respondent for providing maintenance and accommodation which is pending in Court at Dabwali, District Sirsa. Later on, the respondent has filed a divorce petition against the applicant which is pending in District Court at Faridkot. The applicant being a young woman, having financial constraints, it is difficult for her to go from her parental place to Faridkot, covering a distance of 100 kms on one side, more particularly when there is no adult male member in the family to accompany her except her old father. Therefore, the present application be accepted.

Notice of the application was given to the respondent who was duly served and put in appearance. The matter was referred to mediation and conciliation centre of this Court for exploring possibility of amicable settlement, however, mediation did not prove to be successful. The case was sent back to this Court. There was no representation on behalf of the respondent on the previous date of hearing and even today, nobody has appeared in the Court on his behalf.

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, Faridkot and transferred to Family Court at Sirsa for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 13.03.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

13.02.2019
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(H.S. MADAAN)
JUDGE

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