

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

T.A. No. 247 of 2018

DATE OF DECISION :- January 10, 2019

Sonia Devi

...Applicant

Versus

Veer Bhan

...Respondent

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

Present:- Mr. Sunny Dhull, Advocate
for Mr. Namit Khurana, Advocate for the applicant.

Applicant Sonia Devi, aged about 32 years, wife of Veer Bhan-respondent by way of filing the instant application seeks transfer of petition under Section 13 of the Hindu Marriage Act filed by her husband Veer Bhan against her having title 'Veer Bhan Vs. Sonia Devi' pending in the Court of District Judge (Family Court), Karnal to the Court of competent jurisdiction at Yamuna Nagar at Jagadhri.

According to the applicant, she was married with the respondent on 8.2.2012. Thereafter the spouses started residing together. The marriage was consummated and applicant gave birth to a male child on 10.1.2015. From the very beginning of the marriage, the respondent started treating the applicant with cruelty in connection with demand of dowry, as such she was forced to leave the matrimonial home and started residing with her parents at Village Bakarpur, Tehsil Jagadhri, District Yamuna Nagar. She has filed a petition under Section 125 Cr.P.C. against her husband, which is pending in the Court at Yamuna Nagar at Jagadhri. After receiving notice of that petition, the respondent has filed a divorce petition against the applicant in the Court at

Karnal. According to the applicant, she being a young woman, taking care of minor son of the parties and having no source of income, it is difficult for her to travel from her parental village to Karnal to attend the dates of hearing there covering a distance of about 85 kms on one side, as such the application be accepted.

Notice of the application was given to the respondent, who was served and had put in appearance through his counsel. Later on the counsel stopped from appearing.

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 The petition in question is ordered to be withdrawn from the Court of District Judge (Family Court), Karnal and transferred to District Judge, Family Court, Yamuna Nagar at Jagadhari for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 7.2.2019. Copies of orders be sent to the Court of District Judge (Family Court), Karnal as well as to the District Judge, Family Court, Yamuna Nagar at Jagadhari for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 10, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No