

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 264 of 2018 (O&M)

Date of decision : 8.1.2019

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Rinku Rani

.....Applicant

vs.

Sandeep Mehta

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Sushil Kumar Verma, Advocate for the applicant.

Mr. Sunny Dhull, Advocate for

Mr. Namit Khurana, Advocate for the respondent.

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H. S. Madaan, J. (Oral)

Applicant – Rinku Rani, aged about 41 years w/o Sandeep Mehta, has filed the instant application under Section 24 CPC, seeking transfer of divorce petition, filed by her husband, who is respondent in the present application, against her, having title 'Sandeep Mehta vs. Rinku Rani' pending in the Court of District Judge, Yamuna Nagar at Jagadhari, to a Court of competent jurisdiction at Sirsa.

According to the applicant, after her marriage with respondent which was solemnized on 13.2.2011, the spouses started residing together. However they were not blessed with any child. The

applicant was treated with cruelty by the respondent and his family members in connection with demand of more dowry. The applicant was compelled to leave the matrimonial home and start residing with her parents at Sirsa. She filed a petition under Section 125 Cr.P.C. for grant of maintenance against her husband and has lodged FIR No. 61 dated 23.1.2018 under Sections 323, 34, 377, 406, 498-A IPC, against her husband and his family members. Both the cases are pending in the Court at Sirsa. As a pressure tactic respondent has filed a divorce petition against her in the Court at Yamuna Nagar. She being a woman, having financial constraints, it is difficult for her to go from Sirsa to Jagadhari, covering a distance of almost 275 kms on one side, to attend the dates of hearing there. Therefore the application be accepted.

Notice of the application was given to the respondent, who has appeared through counsel.

This application is being opposed vehemently, by the counsel for the respondent.

I have heard learned counsel for the parties besides going through the record.

Keeping in view the contentions in the application and averments made by counsel for the applicant, I find that ends of justice demand that the application should be accepted.

Accordingly, the application is accepted. The petition in question pending in the court of District Judge, Yamuna Nagar at Jagadhari, is withdrawn from that Court and transferred to the Court of District Judge, Sirsa, who may retain the case on his Board or

assign it to any other Court of competent jurisdiction for disposal in accordance with law. Parties through counsel are directed to appear there on 6.2.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

8.1.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No