

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

T.A. No. 276 of 2018

DATE OF DECISION :- January 16, 2019

Anju Bala

...Applicant

Versus

Munish Kumar

...Respondent

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

Present:- Mr. Johny, Advocate
for Mr. Gaurav Sharma, Advocate for the applicant.

Applicant Anju Bala, aged about 29 years estranged wife of Munish Kumar-respondent, presently residing with her parents at Village Bhagatpura Mor, P.O. Sukhpura Mor, Tehsil Tapa, District Barnala by way of filing the instant application seeks transfer of petition under Section 9 of the Hindu Marriage Act filed by her husband Munish Kumar against her having title 'Munish Kumar Vs. Anju Bala' pending in the Court of Civil Judge (Jr. Divn.), Ludhiana to the Court of competent jurisdiction at Barnala.

According to the applicant, the marriage between the parties was solemnized on 14.10.2015. Thereafter the spouses started residing together. The behaviour of respondent and his family members towards the applicant was not proper since they were not satisfied with the dowry articles brought by the applicant and want her to bring more dowry articles which applicant could not do. The applicant had to leave the matrimonial home and start residing with her parents along with minor child of the parties. It is difficult for her to travel

from Barnala to Ludhiana covering a distance of 80 kms on one side to attend the dates of hearing more particularly when she has got financial constraints and she has to take care of minor child of the parties, therefore, the 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 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 The petition in question is ordered to be withdrawn from the Court of Civil Judge (Jr. Divn.), Ludhiana and transferred to Family Court at Barnala for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 12.2.2019. Copies of orders be sent to the Court of Civil Judge (Jr. Divn.), Ludhiana as well as to the Family Court at Barnala for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 16, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No