

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 277 of 2018 (O&M)
Date of decision : 11.2.2019

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Arti

.....Applicant

vs.

Sachin

.....Respondent

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

Present: Mr. Ajit Kumar Sharma, Advocate for the applicant.

Mr. Neeraj Yadav, Advocate for the respondent.

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H. S. Madaan, J. (Oral)

By way of moving present application, applicant – Arti, aged about 25 years, wife of Sachin, presently residing with her parents at Rewari, on account of a marital dispute between the spouses, seeks transfer of divorce petition, filed by her husband, who is respondent in the present application, against her, having title 'Sachin vs. Arti' pending in the Court of District Judge, (Family Court), Gurugram, to a Court of competent jurisdiction at Rewari.

According to the applicant, the marriage performed between

the spouses on 9.2.2012, ran into rough weather on account of demand of more dowry by respondent and his family members and she was forced to leave the matrimonial home alongwith minor daughter of the parties, namely, Baby Kavya, presently aged about 4 years. The applicant does not have any source of income and is dependent upon her parents, who are old and infirm. It is difficult for her to travel from Rewari to Gurugram, covering a distance of 60 kms on one side to attend the dates of hearing in Court at Gurugram, more particularly, when she is to take care of minor daughter of the parties and has got financial constraints also. She has filed a petition under Section 125 Cr.P.C. against the respondent, which is pending in the Court of JMIC, Rewari. Therefore the application be accepted.

Notice of the application was given to the respondent, who has put in appearance and vehemently opposing the application praying that the same be dismissed being without any merit.

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

Keeping in view the contentions in the application and submissions made by learned counsel for the applicant, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question pending in the court of District Judge (Family Court), Gurugram, is withdrawn from that Court and transferred to the Family Court at Rewari, for disposal in accordance with law. Parties through counsel are directed to appear there on 12.3.2019.

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

11.2.2019
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(H.S. Madaan)
Judge

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