

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

**TA-282-2018**

**Date of decision:-10.1.2019**

Monika Kumari

...Applicant

Versus

Simarjeet Singh

...Respondent

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

**Present** : Mr.Ritesh Aggarwal, Advocate  
for the applicant.

Mr.Kamal Narula, Advocate  
for the respondent.

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**H.S. MADAAN, J.(ORAL)**

By way of filing the present application, the applicant – Monika Kumari, aged about 28 years, who is respondent in the petition under Section 9 of the Hindu Marriage Act titled 'Simarjeet Singh Versus Monika Kumari' filed by her husband pending in the Court of District Judge, Ferozepur seeks transfer of that petition to any other Court of competent jurisdiction at Patiala.

*Inter alia*, it is contended by the applicant that the marriage between the parties did not work; that the couple was not blessed with any child; that on account of cruel attitude of respondent towards the

applicant, she had to leave the matrimonial home and started residing with her parents at village Bhadson, Tehsil Nabha, District Patiala; that she does not have any source of income and is dependent upon her old aged parents. According to the applicant as a pressure tactic, the respondent has filed a petition under Section 9 of the Hindu Marriage Act at District Ferozepur; that the applicant being a young woman having financial constraints and no young adult member of the family being there to accompany her, it is difficult for her to travel from Patiala to Ferozepur covering a distance of about 192 kms. on one side to attend the dates of hearing. Therefore, the application be accepted.

Notice of the application was given to respondent, who put in appearance through counsel. The application is opposed vehemently stating that no ground for the transfer of the petition is made out.

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 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.

Therefore, the application stands allowed and the petition under Section 9 of Hindu Marriage Act pending in the Court of District Judge, Ferozepur is ordered to be transferred to the District Judge, Family Court, Patiala. The parties are directed to appear before District Judge, Family Court, Patiala on 7.2.2019.

Copy of this order be sent to District Judge, Ferozepur as well as District Judge, Family Court, Patiala for information and

necessary compliance.

10.1.2019  
Brij

(H.S.MADAAN)  
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No