

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

T.A. No. 315 of 2018

DATE OF DECISION :- February 26, 2019

Geeta

...Applicant

Versus

Mani Ram

...Respondent

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

Present:- Ms. Sonia Punia, Advocate
for Mr. Parminder Singh, Advocate for the applicant.

Applicant Geeta, aged about 29 years, estranged wife of Mani Ram-respondent, presently residing with her parents at Ambala by way of filing the instant application seeks transfer of petition under Section 13 of the Hindu Marriage Act filed by her husband Mani Ram against her having title 'Mani Ram Vs. Geeta' pending in the Court of District Judge, Sangrur to the Court of competent jurisdiction at Ambala.

According to the applicant, the marriage was performed between the parties on 10.5.2010 at Ambala. They started residing together. The marriage was consummated and the couple was blessed with two children i.e daughter namely Diwanshi @ Mansi and son namely Gurjant @ Ayush. The marriage between the spouses ran into rough weather and the applicant along with minor children of the parties were forced to leave the matrimonial home and start residing with her parents at Ambala. Such parents of applicant are of old age suffering from various ailments. The applicant has filed a petition under Section 125 Cr.P.C. against the respondent which is pending in the Court at Ambala. The respondent has filed the divorce petition against the applicant

as a pressure tactic. The applicant being a young woman, taking care of minor children of the parties with no adult male member in the parental family to accompany her, it is difficult for her to travel from Ambala to Sangrur covering a distance of 160 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 was duly served but he has not turned up 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Sangrur and transferred to Family Court at Ambala for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 26.3.2019. Copies of orders be sent to the Court of District Judge, Sangrur as well as to the Family Court at Ambala for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 26, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No