

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

TA-323-2018 (O&M)

Date of decision: 14.02.2019

Kanchan Verma

...Applicant

Versus

Raj Kumar

...Respondent

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

Present: Mr. Vivek Suri, Advocate for the applicant.

Mr. P.S. Punia, Advocate for the respondent.

H.S. MADAAN, J. (Oral)

Applicant Kanchan Verma, aged about 35 years, estranged wife of respondent Raj Kumar, presently residing with her parents at Kharar, on account of a matrimonial discord between the spouses, by way of moving the present application, seeks transfer of divorce petition, filed by her husband, the respondent against her having title 'Raj Kumar Vs. Kanchan Verma' pending in the Court of Addl. District Judge, Ludhiana to the Court of competent jurisdiction at Mohali.

As per case of the applicant, marriage between the parties which was solemnized on 03.05.2009 ran into rough weather. However, they were blessed with two sons, namely Master Abhinav, born on 15.05.2010 and Master Tanmay, born on 02.05.2012. On 11.10.2017, the applicant along with two minor sons was turned out of the matrimonial home and she had no other place to go except her

parental house at Kharar. The applicant does not have any source of income. She has filed a petition under Section 125 Cr.P.C., for herself and minor children against the respondent which is pending in Court at Kharar. She has reported the matter to the police against the respondent and his family members. The respondent has filed the divorce petition against her as a pressure tactics. It is difficult for her to go from Kharar to Ludhiana, to attend the dates of hearing in Court there, covering a distance of 75 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who has put in appearance through counsel and the application is being opposed vehemently stating that no ground for transfer of divorce 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. The same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of Addl. District Judge, Ludhiana and transferred to the Court of learned District Judge, Mohali for disposal in accordance with law. Learned District Judge, Mohali may retain the petition on his board or assign it to any other Court of competent

jurisdiction.

The parties through their counsel are directed to appear in the transferee Court on 14.03.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

14.02.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No