

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

T.A. No. 923 of 2017

DATE OF DECISION :- February 11, 2019

Anju Dhawan

...Applicant

Versus

Saurabh Mahajan

...Respondent

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

Present:- Mr. J.S. Hooda, Advocate for the applicant.

By way of filing the present application, applicant Anju Dhawan, aged about 32 years, wife of Saurabh Mahajan-respondent, presently residing with her parents at Ballabgarh seeks transfer of petition under Section 13 of the Hindu Marriage Act filed by her husband Saurabh Mahajan against her having title 'Saurabh Mahajan Vs. Anju Dhawan' pending before District Judge, Family Court, Hissar to the Court of competent jurisdiction at Faridabad.

According to the applicant, the marriage performed between the parties on 24.2.2012 at Delhi ran into rough weather and applicant along with minor son of the parties had to leave the matrimonial home and start residing with her widowed mother at Ballabgarh. It is stated that the applicant does not have any source of income. Her husband has filed the present petition against her as a pressure tactic. The applicant has lodged an F.I.R. against the family members besides filing a petition under Section 125 Cr.P.C. in the Court having jurisdiction over the matter at Faridabad.

The applicant being a young woman, required to take care of minor son of the parties, having no source of income, it is difficult for her to travel from her parental place to Hissar covering a distance of 200 kms on one side, therefore, the application be accepted.

Notice of the application was given to the respondent, who as per office report has been served through counsel in the trial Court but he has not turned up.

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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Hissar and transferred to Family Court at Faridabad for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 12.3.2019. Copies of orders be sent to the Court of District Judge, Family Court, Hissar as well as to the Family Court at Faridabad for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 11, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No