

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

T.A. No. 363 of 2018

DATE OF DECISION :- March 12, 2019

Chander Rekha Sidhu

...Applicant

Versus

Rohan Mehra

...Respondent

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

Present:- Mr. Vishal Nehra, Advocate for the applicant.

By way of filing the present application, applicant Chander Rekha Sidhu, aged about 32 years, estranged wife of Rohan Mehra-respondent presently residing with her parents at Hoshiarpur, seeks transfer of petition under Section 13 of the Hindu Marriage Act, 1955 filed by her husband Rohan Mehra against her having title 'Rohan Mehra Vs. Chander Rekha Sidhu' pending in the Court of Additional District Judge, Amritsar to the Court of competent jurisdiction at Hoshiarpur.

According to the applicant, the marriage between the parties performed on 18.8.2013 ran into rough weather on account of demand of dowry by the respondent and his family members from the applicant which the applicant could not get fulfilled. She was forced to leave the matrimonial home. She had no other place to go except house of her parents at Hoshiarpur. The applicant has filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 which is pending before CJM, Hoshiarpur. She has also lodged a complaint against the respondent and his family members with the police at Hoshiarpur. Now the

respondent as a pressure tactic has filed the divorce petition against her. The applicant is a young woman and is residing with her parents, it is difficult for her to travel from her parental place to Amritsar, covering a distance of about 100 kms so as to attend the dates of hearing there, as such the application be accepted.

Notice of the application was given to the respondent, who as per office report has been 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 The petition in question is ordered to be withdrawn from the Court of Additional District Judge, Amritsar and transferred to Family Court at Hoshiarpur for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 23.4.2019. Copies of orders be sent to the Court of Additional District Judge, Amritsar as well as to the Family Court at Hoshiarpur for information and necessary compliance.

(H.S. MADAAN)
JUDGE

March 12, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No