

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

TA-373-2018

Date of decision:-1.7.2019

Amandeep Kaur

...Applicant

Versus

Gurnam Singh

...Respondent

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

Present : Ms.Alisha Soni, Advocate
for the applicant.

None for the respondent.

H.S. MADAAN, J.(ORAL)

By way of filing the present application, the applicant – Smt.Amandeep Kaur, aged about 29 years wife of respondent – Gurnam Singh, presently residing with her parents at Ludhiana, on account of matrimonial discord between the spouses, seeks transfer of divorce petition filed by her husband the respondent against her having title 'Gurnam Singh Versus Amandeep Kaur' pending before learned District Judge, Family Court, Moga to any other Court of competent jurisdiction at Ludhiana.

According to the applicant, she is a young woman having

no source of income and is looking after minor son of the parties aged about 1 year; that she has filed a petition under Section 125 Cr.P.C. against the respondent in the Court at Moga where though the respondent is appearing but has not paid the maintenance amount; that the respondent has filed a divorce petition against her in the Court at Moga as a pressure tactic; that the applicant being a young woman taking care of minor son of the parties in financial constraints, it is difficult for her to travel from Ludhiana to Moga covering a distance of about 72 kms. on one side to attend the dates of hearing in the Court there. Therefore, the application be accepted.

Notice of the application was given to respondent, who initially put in appearance. The matter was referred to Mediation Centre, which unfortunately failed. Thereafter, the respondent did not appear in the Court.

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.

Therefore, the application stands allowed and the divorce petition pending in the Court of District Judge, Family Court, Moga is ordered to be transferred to the District Judge, Family Court, Ludhiana. The parties are directed to appear before District Judge, Family Court, Ludhiana on 1.8.2019.

Copy of this order be sent to District Judge, Family Court,

Moga as well as District Judge, Family Court, Ludhiana for information and necessary compliance.

1.7.2019
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No