

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

TA-432-2018 (O&M)

Date of decision: 04.02.2019

Seema Rani

...Applicant

Versus

Banty Kumar

...Respondent

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

Present: Mr. APS Sidhu, Advocate for
Mr. Surinder Garg, Advocate
for the applicant.

Mr. Munish Khanngwal, Advocate for the respondent.

H.S. MADAAN, J. (Oral)

Applicant Seema Rani, aged about 30 years, wife of respondent Banty Kumar, presently residing with her parents at Faridkot, on account of matrimonial discord with her husband has filed the present application seeking transfer of divorce petition filed by her husband, the respondent against her having title 'Banty Kumar Vs. Seema Rani' pending in the Court of District Judge, Bathinda to the Court of competent jurisdiction at Faridkot.

According to the applicant, marriage which was solemnized between the parties on 22.10.2011 at Faridkot ran into rough weather. She has levelled allegations against the respondent of having extra marital relations with certain other women giving rise to dispute between the parties and she having been thrown out of the matrimonial home and her

going to the parental house being the only other alternate available to her.

According to the applicant, the respondent has filed a divorce petition against her on wrong allegations giving his wrong residential address of Bathinda, whereas, the parties had never resided together at Bathinda.

She being a young woman, without having no source of income, it is difficult for her to travel from Faridkot to Bathinda covering a distance of about 60 kms on one side. Therefore, the present application be accepted.

The application is being resisted by the respondent vehemently stating that no ground for transfer is made out and the application be dismissed.

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 The petition in question is ordered to be withdrawn from the Court of District Judge, Bathinda and transferred to Family Court at Faridkot for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 08.03.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

04.02.2019

sumit.k

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No