

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 996 of 2017 (O&M)

Date of decision : 6.2.2019

...

Nirmla

.....Applicant

vs.

Kuldeep Singh

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. N.S. Panwar, Advocate for the applicant.

...

H. S. Madaan, J. (Oral)

CM-1675-CII-2019

Heard.

The transfer application dismissed for non-prosecution vide order dated 20.12.2018, is ordered to be restored at its original number and is taken up today.

Main case.

By way of filing the present application, applicant –Nirmla, aged about 45 years, estranged wife of Kuldeep Singh-respondent, presently residing at Sonapat, on account of marital dispute between the spouses, is seeking transfer of divorce petition under Section 13 of the Hindu Marriage Act, 1955, filed by her husband against her, having title 'Kuldeep Singh vs. Nirmla' pending in the Court of District Judge, Family Court, Rohtak, to a Court of competent jurisdiction at Sonapat.

According to the applicant, marriage between the spouses, which was performed on 22.6.1988, ran into rough weather due to cruel attitude of respondent with her. The applicant had to leave the matrimonial home. The applicant does not have any source of income. It is difficult for her to commute from Sonapat to Rohtak, covering a distance of 70 kms on one side, to attend the dates of hearing in the Court at Rohtak, as such the application be accepted.

Notice of the application was given to the respondent, who was duly served, but has not appeared 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, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question pending in the court of District Judge, Family Court, Rohtak, is withdrawn from that Court and transferred to the Court of District Judge, Family Court, Sonapat, for disposal in accordance with law. Parties through counsel are directed to appear there on 8.3.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

6.2.2019
chugh

(H.S. Madaan)
Judge

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No