

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

T.A. No. 461 of 2018

DATE OF DECISION :- February 5, 2019

Sweety Sharma

...Applicant

Versus

Sunil Kumar

...Respondent

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

Present:- Mr. Kamal Narula, Advocate for the applicant.

Mr. Ramesh Chander Sharma, Advocate for the respondent.

By way of filing the present application, applicant Sweety Sharma, aged about 31 years, wife of Sunil Kumar-respondent, presently residing with her parents on account of matrimonial discord between the spouses seeks transfer of petition under Section 13 of the Hindu Marriage Act, 1955 filed by her husband Sunil Kumar against her having title 'Sunil Kumar Vs. Sweeti Sharma' pending in the Court of Additional District Judge, Fazilka to the Court of competent jurisdiction at Patiala on various grounds, including one of their being distance of more than 250 kms between Patiala and Fazilka and her facing difficulty in travelling such distance to attend the dates of hearing in the Court at Fazilka.

Notice of application was given to the respondent, who has appeared through counsel and filed reply contesting the application.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the respondent in all fairness has stated that he has no objection if the application is accepted, however, since the respondent apprehends danger of physical harm to himself and his family members at the hands of family members of the applicant, therefore, necessary direction in that regard be issued.

The application is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of Additional District Judge, Fazilka and transferred to Family Court at Patiala for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 7.3.2019. Copies of orders be sent to the Court of Additional District Judge, Fazilka as well as to the Family Court at Patiala Sahib for information and necessary compliance.

The Senior Superintendent of Police, Patiala is directed to ensure that no physical harm is caused to the respondent or to his family members or persons accompanying him when he/they go to Patiala to attend the dates of hearing.

(H.S. MADAAN)
JUDGE

February 05, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No