

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

T.A. No. 47 of 2018

DATE OF DECISION :- March 11, 2019

Sonam

...Applicant

Versus

Rishu

...Respondent

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

Present:- Mr. Deepak Aggarwal, Advocate for the applicant.

Applicant Sonam, aged about 20 years, wife of Rishu-respondent, presently residing with her parents at Ajnala, District Amritsar on account of matrimonial discord between the spouses by way of filing the instant application seeks transfer of petition under Section 13(i) (i-a) and (iii) of the Hindu Marriage Act filed by her husband Rishu against her having title 'Rishu Vs. Sonam' pending in the Court of Additional District Judge, Gurdaspur to the Court of competent jurisdiction at Amritsar.

According to the applicant, the marriage performed between the parties on 22.2.2016 ran into rough weather on account of demand of dowry raised by the respondent. The applicant was driven out of the matrimonial home in March, 2017 and she had no other place to go except the house of her parents at Ajnala, District Amritsar. The respondent has filed petition in question against her as a pressure tactic. The applicant has filed petition under Section 125 Cr.P.C. against the respondent in the Court at Ajnala. She being a young woman, having no source of income, it is difficult for her to travel from Amritsar to Gurdaspur to attend the dates of hearing in the Court

there, therefore, 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 The petition in question is ordered to be withdrawn from the Court of Additional District Judge, Gurdaspur and transferred to Family Court at Amritsar for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 22.4.2019. Copies of orders be sent to the Court of Additional District Judge, Gurdaspur as well as to the Family Court at Amritsar for information and necessary compliance.

(H.S. MADAAN)
JUDGE

March 11, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No