

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

TA-485-2018 (O&M)

Date of decision: 13.02.2019

Anita Devi @ Aarti

...Applicant

Versus

Lalit Kumar

...Respondent

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

Present: Mr. Harkeerat Singh, Advocate
for the applicant.

H.S. MADAAN, J. (Oral)

This application for transfer of divorce petition titled as 'Lalit Kumar Vs. Anita @ Aarti' pending in the Court of District Judge, Bathinda to the Court of competent jurisdiction at Moga has been filed by applicant/wife Anita Devi @ Aarti, aged about 30 years, contending that she had to leave the matrimonial home on account of differences with her husband and start residing with her parents; she is taking care of two minor daughters of the parties, namely, Baby Latisha aged about 05 years and Baby Kashvi aged about 1.5 years at the time of filing of the application; that she is not having any source of income and is dependent upon her parents for meeting her needs as well as those of her minor daughters; that she has filed a petition under Protection of Women from Domestic Violence Act, 2005 as well as under Section 125 Cr.P.C., in Courts at Moga; that she being a young woman, taking care of two minor

daughters of the parties, having financial constraints, it is difficult for her to travel from Moga to Bathinda, covering a distance of 100 kms on one side to attend the dates of hearing in Court there. Therefore, the present application be accepted.

Notice of the application was given to the respondent who was duly served but has not opted to appear and 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Bathinda and transferred to Family Court at Moga for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 13.03.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

13.02.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No