

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

T.A. No. 553 of 2018

DATE OF DECISION :- February 14, 2019

Smt. Kavita

...Applicant

Versus

Abhishek

...Respondent

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

Present:- Mr. Jitender Dhanda, Advocate for the applicant.

Applicant Kavita, aged about 33 years, wife of Abhishek-respondent, presently residing with her parents at Village Sudkain Kalan, Tehsil Narwana, District Jind, on account of a matrimonial discord with her husband by way of filing the instant application seeks transfer of petition under Sections 11 and 12 of the Hindu Marriage Act, 1955 filed by her husband Abhishek against her having title 'Abhishek Vs. Kavita' pending in the Court of District Judge, Family Court, Karnal to the Court of competent jurisdiction at Jind.

According to applicant, the marriage between the parties did not work and she had to leave the matrimonial home on account of cruel treatment given to her by the respondent; that the applicant along with two minor children of the parties is residing with her parents as dependent upon them for getting their needs met. The applicant is not having any source of income; that it would be difficult for the applicant to come from her parental place to Karnal to attend the dates of hearing in the Court there covering a

distance of more than 100 kms on one side, therefore, the application be accepted.

Notice of the application was given to the respondent, who was duly served but 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Karnal and transferred to Family Court at Jind for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 14.3.2019. Copies of orders be sent to the Court of District Judge, Family Court, Karnal as well as to the Family Court at Jind for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 14, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No