

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

TA-600-2018

Date of decision:-9.1.2019

Manju

...Applicant

Versus

Raj Kumar

...Respondent

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

Present : Ms.Poonam Tara Prasher, Advocate
for the applicant.

H.S. MADAAN, J.(ORAL)

By way of filing the present application, the applicant – Manju, who is respondent in the petition under Section 9 of the Hindu Marriage Act titled 'Raj Kumar Versus Manju' filed by her husband pending in the Court of Civil Judge(Jr.Divn.), Chandigarh seeks transfer of that petition to any other Court of competent jurisdiction at Amritsar.

Inter alia, it is contended by the applicant that the marriage between the parties did not work; that the sister of the applicant, namely, Saroj is married with brother of respondent Suresh, however, the applicant was subjected to cruelty by the respondent in connection with demand of dowry; that similar was the fate of her sister; that the applicant was turned out of the matrimonial home and she is to fall back upon her parents. According to the applicant as a pressure tactic, the respondent has filed a petition under Section 9 of the Hindu Marriage

Act; that the applicant being a young woman taking care of minor son of the parties aged about 4 ½ years in financial constraints, it is difficult for her to travel from Amritsar to Chandigarh covering a distance of about 250 kms. on one side to attend the dates of hearing. Therefore, the application be accepted.

Notice of the application was given to respondent, who was duly served but did not put in appearance.

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.

Therefore, the application stands allowed and the petition under Section 9 of Hindu Marriage Act pending in the Court of Civil Judge(Jr.Divn.), Chandigarh is ordered to be transferred to the Family Court, Amritsar. The parties are directed to appear before District Judge, Family Court, Amritsar on 6.2.2019.

Copy of this order be sent to District & Sessions Judge, Chandigarh as well as District Judge, Family Court, Amritsar for information and necessary compliance.

(H.S.MADAAN)
JUDGE

9.1.2019
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No