

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

TA-644-2018 (O&M)

Date of decision: 14.02.2019

Rani

...Applicant

Versus

Ravi

...Respondent

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

Present: Mr. N.S. Panwar, Advocate  
for the applicant.

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**H.S. MADAAN, J. (Oral)**

By way of moving the present application, applicant Rani, aged about 24 years, wife of respondent Ravi, presently residing with her parents at Village Thana Kalan, Tehsil Kharkhoda, District Sonipat, on account of differences between the spouses, seeks transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Ravi Vs. Rani' pending in the Court of District Judge, Family Court, Bhiwani to the Court of competent jurisdiction at Sonipat.

According to the applicant, marriage performed between the spouses on 06.07.2014 did not work on account of cruel attitude of respondent and his family members towards the applicant in connection with demand of dowry. She was forced to leave the matrimonial home when she was in family way. The applicant had given birth to a male child, namely, Master Dhanush at her parental place, however, neither the

respondent nor any of his family member came to see the applicant and the newly born child. Though the matter was compromised and the applicant along with minor child returned to the matrimonial home but the old story was repeated. The applicant lodged an FIR against her husband and parents in law for offences under Sections 406, 498-A etc., IPC. She has filed a complaint under Protection of Women from Domestic Violence Act, 2005 against the respondent and his family members. The cases are pending before Sub Divisional Judicial Magistrate, Kharkhoda. In order to harass the applicant, the respondent has filed petition under Section 9 of the Hindu Marriage Act against her which is pending before the Family Court, Bhiwani. The applicant being a young woman, having no source of income, it is difficult for her to travel from her parental place to Bhiwani, 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 through his mother but did not appear 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, Bhiwani and transferred to Family Court at Sonipat for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 14.03.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

14.02.2019  
*sumit.k*

**(H.S. MADAAN)**  
**JUDGE**

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