

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

T.A. No. 749 of 2018

DATE OF DECISION :- February 15, 2019

Nirmaljeet

...Applicant

Versus

Satish Kumar

...Respondent

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

Present:- Mr. Karanjeet Singh Brar, Advocate for the applicant.

Applicant Nirmaljeet, aged about 29 years, estranged wife of Satish Kumar-respondent, presently residing with her parents at Ferozepur due to matrimonial discord between the parties by way of filing the present petition seeks transfer of petition under Section 13 (1) (a) (ib) of the Hindu Marriage Act, 1955 filed by her husband Satish Kumar against her having title 'Satish Kumar Vs. Nirmaljeet' pending in the Court of District Judge, Chandigarh to the Court of competent jurisdiction at Ferozepur.

According to the applicant the marriage performed between the parties on 16.2.2014 at Ferozepur ran into rough weather. The couple was not blessed with any child. The applicant was turned out of the matrimonial home and she had no other place to go except house of her parents. She has

filed a private complaint under Sections 307, 323, 406, 498A, 120B IPC against the respondent and his family members which is pending in the Court of Chief Judicial Magistrate, Ferozepur, She has also filed a petition under Section 125 Cr.P.C. against the respondent seeking grant of monthly maintenance allowance. In addition to that she has brought a complaint under Section 12 of Protection of Women from Domestic Violence Act, 2005 pending in the Court at Ferozepur. As a counter blast the respondent has got divorce petition against her. The applicant being a young women, having no source of income, it is difficult for her to travel from Ferozepur to Chandigarh covering a distance of about 240 kms on one side so as to attend the dates of hearing there, as such 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Chandigarh and transferred to the Court of District Judge, Ferozepur for disposal in accordance with law. Learned District Judge, Ferozepur may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties through their counsel are directed to appear in the

transferee Court on 15.3.2019. Copies of orders be sent to the Court of District Judge, Chandigarh as well as to the Court of District Judge, Ferozepur for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 15, 2019
p.singh

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