

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

TA-755-2018

Date of decision:-10.1.2019

Geetanjaly Sharma

...Applicant

Versus

Jitender Kumar

...Respondent

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

Present : Mr.J.S. Dadwal, Advocate
for the applicant.

Ms.Meena Bansal, Advocate
for the respondent.

H.S. MADAAN, J.(ORAL)

By way of filing the present application, the applicant – Geetanjaly Sharma, aged about 26 years, who is respondent in the petition under Section 9 of the Hindu Marriage Act titled 'Jitender Kumar Versus Geetanjaly Sharma' filed by her husband pending in the Court of Civil Judge(Sr.Divn.), Amloh, District Fatehgarh Sahib seeks transfer of that petition to any other Court of competent jurisdiction at Civil Judge(Sr.Divn.), Sunam, District Sangrur.

According to the applicant, the marriage solemnized between the parties on 11.11.2016 did not work; that the applicant had

given birth to a male child from the loins of respondent on 28.12.2017, who is presently residing with her; that on account of the matrimonial discord, the applicant had to leave the matrimonial home and started residing with her parents. According to the applicant, as a pressure tactic, the respondent has filed the petition in question since the applicant has filed a petition under Domestic Violence Act against him in the Court at SDJM, Sunam; that the applicant being a young woman taking care of minor son of the parties in financial constraints, it is difficult for her to travel from Sunam to Amloh to attend the dates of hearing. Therefore, the application be accepted.

Notice of the application was given to respondent, who has put in appearance through counsel and filed written reply vehemently contesting the application stating that no ground for transfer of the petition is made out.

I have heard learned counsel for the parties 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 Additional Civil Judge(Sr.Divn.), Amloh is ordered to be transferred to the Court of Additional Civil Judge(Sr.Divn.), Sunam. The parties are directed to appear before Additional Civil Judge(Sr.Divn.), Sunam on 7.2.2019.

Copy of this order be sent to Additional Civil Judge(Sr.Divn.), Amloh as well as Additional Civil Judge(Sr.Divn.), Sunam for information and necessary compliance.

10.1.2019
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No