

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

T.A. No. 770 of 2018

DATE OF DECISION :- January 08, 2019

Ranjit Kaur

...Applicant

Versus

Sarwan Singh

...Respondent

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

Present:- Mr. Akshay Sandhir, Advocate for the applicant.

Applicant Ranjit Kaur wife of Sarwan Singh-respondent by way of filing the instant application seeks transfer of petition under Section 13 of the Hindu Marriage Act filed by her husband Sarwan Singh against her having title 'Sarwan Singh Vs. Ranjit Kaur' pending in the Court of Ms. Rajni Chhokra, Additional District & Sessions Judge (Family Court), Amritsar to the Court of competent jurisdiction at Muktsar Sahib.

According to her, on account of cruelty perpetrated by the respondent upon her in connection with demand of dowry, she had to leave the matrimonial home and start residing with her parents. She does not have any source of income. She is taking care of minor daughter of the parties, who is aged about 9 years presently. There is no adult male member in the family to accompany her except her father who is of old age suffering from various ailments. It is difficult for her to travel from Muktsar Sahib to Amritsar covering a distance of 200 kms on one side, therefore, the application be accepted.

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

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 The petition in question is ordered to be withdrawn from the Court of Ms. Rajni Chhokra, Additional District & Sessions Judge (Family Court), Amritsar and transferred to District Judge, Muktsar Sahib for disposal in accordance with law. Learned District Judge, Muktsar Sahib 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 5.2.2019. Copies of orders be sent to the Court of Ms. Rajni Chhokra, Additional District & Sessions Judge (Family Court), Amritsar as well as to the District Judge, Muktsar Sahib for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 08, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No