

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

T.A. No. 805 of 2018

DATE OF DECISION :- February 22, 2019

Anita Rani

...Applicant

Versus

Mandeep Kumar

...Respondent

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

Present:- Mr. Rakesh Gupta, Advocate for the applicant.

Applicant Anita Rani, aged about 30 years, estranged wife of Mandeep Kumar-respondent, presently residing with her parents at Village Barwala, Tehsil and District Ludhiana, on account of matrimonial discord between the spouses by way of filing the instant application seeks transfer of petition under Section 13 of the Hindu Marriage Act filed by her husband Mandeep Kumar against her having title 'Mandeep Kumar Vs. Anita Rani' pending in the Court of District Judge, Family Court, Moga to the Court of competent jurisdiction at Ludhiana.

According to the applicant, the marriage which was performed between the parties on 28.11.2014 ran into rough weather on account of demand of dowry by respondent and his family members from her which demand she could not get fulfilled. The applicant was forced to leave the matrimonial home. She had no other place to go except house of her parents where she is putting up presently. The respondent has filed the divorce petition in question as a pressure tactic. The applicant had reported the matter to the police even. She is a young woman having no source of income. Her aged father is paralytic and mother is also suffering from various ailments. It is

difficult for her to travel from her parental place to Moga covering a distance of about 70 kms on one side to attend the dates of hearing in the Court there, therefore, 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Moga and transferred to Family Court at Ludhiana for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 25.3.2019. Copies of orders be sent to the Court of District Judge, Family Court, Moga as well as to the Family Court at Ludhiana for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 22, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No