

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

T.A. No. 835 of 2018

DATE OF DECISION :- January 08, 2019

Smt. Shobha Rani

...Applicant

Versus

Paramveer Singh

...Respondent

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

Present:- Mr. Vishwajeet Singh, Advocate for the applicant.

Applicant Smt. Shobha Rani, aged about 41 years, deserted wife of Paramveer Singh-respondent stated to be presently residing with her parents at Palwal is seeking transfer of divorce petition under Section 13 of the Hindu Marriage Act filed by her husband Paramveer Singh against her having title 'Paramveer Singh Vs. Smt. Shobha Rani' pending in the Court of Additional District Judge (Family Court), Bhiwani to the Court of competent jurisdiction at Palwal.

According to the applicant, the marriage between the spouses which was solemnized on 23.2.1999 did not work and she had to leave the matrimonial home and start residing with the parents. On account of

financial constraints and the fact that the applicant has to take care of minor daughter of the parties residing with her, it is difficult for her to travel from her parental place where she is residing to Bhiwani covering a distance of 110 kms on one side to attend the dates of hearing in the Court there. Further more the disposal of divorce petition is likely to take considerable time. The applicant apprehends danger to her life at the hands of the respondent and his family members, therefore, the application be accepted. It is contended that earlier the applicant was serving at Najafgarh but now she has left that job and shifted to Palwal along with her minor daughter where her parents are residing.

Notice of the application was given to the respondent, who has been duly served through his counsel in the trial Court 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 The petition in question is ordered to be withdrawn from the Court of Additional District Judge (Family Court), Bhiwani and transferred to the Court of District Judge, Palwal for disposal in accordance with law. The District Judge, Palwal 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

Additional District Judge (Family Court), Bhiwani as well as to the Court of District Judge, Palwal for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 08, 2019
p.singh

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No