

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

TA-857-2018

Date of decision:-10.1.2019

Reshu Jast

...Applicant

Versus

Nikhil Singal

...Respondent

CORAM : HON'BLE MR. JUSTICE H.S. MADAAN**Present** : Mr.Karan Garg, Advocate
for the applicant.Mr.Abhimanyu Singh, Advocate
for the respondent.

H.S. MADAAN, J.(ORAL)

By way of filing the present application, the applicant – Reshu Jast, aged about 34 years wife of Nikhil Singal – respondent residing with her parents at Karnal seeks transfer of the divorce petition filed by her husband having titled 'Nikhil Singal Versus Reshu Jast' pending in the Court of District Judge (Family Court), Sonipat to any other Court of competent jurisdiction at Karnal.

According to the applicant, she is working as Doctor at Government Hospital, Karnal, whereas the respondent is practising Advocate; that it is a second marriage for the applicant, which fact was within knowledge of the respondent before they had entered into matrimonial alliance on 28.2.2017; that soon after the marriage, the applicant was harassed and maltreated in connection with demand of

more dowry, therefore, she had to walk out of the matrimonial home and started residing with her parents at Karnal. According to the applicant, a complaint against the respondent and his family members with regard to harassment and maltreatment, which is pending before Alternative Disputes Resolution, Karnal. According to the applicant as a pressure tactic, the respondent has filed a divorce petition; that the applicant being a lonely woman, who does not have any capable male member to accompany her, it is difficult for her to travel from Karnal to Sonipat covering a distance of about 90 kms. on one side to attend the dates of hearing. The respondent is appearing in a complaint case filed by the applicant. Therefore, the application be accepted.

Notice of the application was given to respondent, who has appeared through counsel, who has fairly stated that though he does not admit the allegations levelled by the applicant against the respondent in the application but has no objection, if the divorce petition is transferred to the Court of competent jurisdiction at Karnal. However, he has requested that the same be decided expeditiously.

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 divorce petition pending in the Court of District Judge, Family Court, Sonipat is ordered to be transferred to the Family Court, Karnal. The parties are

directed to appear before District Judge, Family Court, Karnal on 7.2.2019. Since expeditious disposal is a right of every litigant, District Judge, Family Court, Karnal may make earnest efforts to decide the divorce petition expeditiously.

Copy of this order be sent to District Judge, Family Court, Sonipat as well as District Judge, Family Court, Karnal for information and necessary compliance.

(H.S.MADAAN)
JUDGE

10.1.2019
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No