

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

TA-872-2018 (O&M)

Date of decision: 10.07.2019

Rekha

...Applicant

Versus

Dalip Kumar

...Respondent

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

Present: Mr. N.K. Vashist, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Rekha, aged about 32 years, estranged wife of respondent Dalip Kumar, presently residing with her parents at Ambala Cantt., on account of matrimonial discord between the parties, by way of moving the present application, seeks transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Dalip Kumar Vs. Rekha' pending in the Court of Civil Judge (Sr. Divn.) Sangrur to the Court of competent jurisdiction at Ambala.

As per version of the applicant, she is taking care of two minor children of the parties i.e. a daughter aged about 08 years and a son aged about 03 years. The daughter is studying in a school at Ambala. The applicant is not having any source of income. The respondent has filed the petition in question against her just as a tool of harassment. It is difficult for the applicant to travel from her parental place to Sangrur to attend the dates of hearing in the Court there, covering a distance of

about 100 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who had initially put in appearance but subsequently 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 The petition in question is ordered to be withdrawn from the Court of Civil Judge (Sr. Divn.) Sangrur and transferred to Family Court at Ambala for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 09.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

10.07.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No