

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

TA-901-2018 (O&M)

Date of decision: 13.02.2019

Pooja Rani

...Applicant

Versus

Parshan Dutt

...Respondent

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

Present: Mr. Parminder Walia, Advocate
for the applicant.

H.S. MADAAN, J. (Oral)

By way of moving the present application, applicant Pooja Rani, aged about 28 years, estranged wife of respondent Parshan Dutt, presently residing with her parents at Village Fatehpur, Harijan Mohalla, Tehsil Pundri, District Kaithal, on account of differences between the spouses, seeks transfer of divorce petition filed by her husband, the respondent against her having title 'Parshan Dutt Vs. Pooja Rani' pending in the Court of District Judge, Family Court, Sonipat to the Court of competent jurisdiction at Kaithal.

According to the applicant, marriage performed between the spouses on 06.07.2014 did not work, on account of harassment and maltreatment meted out to the applicant by the respondent and his family members. The couple was not blessed with any child. The applicant was thrown out of the matrimonial home and she has no other place to go except her parents house. The respondent has filed a divorce petition as a pressure tactics. The applicant being a young woman, having no source of income, it

is difficult for her to travel from her parental place to Sonipat, covering a distance of 130 kms on one side. The applicant has filed a petition under Section 125 Cr.P.C., for grant of maintenance which is pending in the Court of Chief Judicial Magistrate at Kaithal. Therefore, the present application be accepted.

Notice of the application was given to the respondent who was duly served but has not opted to appear and 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Sonipat and transferred to the Court of learned District Judge, Kaithal for disposal in accordance with law. Learned District Judge, Kaithal 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 13.03.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

13.02.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No