

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

T.A. No. 902 of 2018

DATE OF DECISION :- January 31, 2019

Saroj Kumari

...Applicant

Versus

Suresh Kumar

...Respondent

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

Present:- Ms. Poonam Tara, Advocate for the applicant.

Applicant Saroj Kumari, aged about 33 years, estranged wife of Suresh Kumar-respondent, presently residing with her parents at Amritsar on account of matrimonial discord with her husband by way of filing the instant application seeks transfer of petition under Section 9 of the Hindu Marriage Act filed by her husband Suresh Kumar against her having title 'Suresh Kumar Vs. Saroj Kumari' pending in the Court of Civil Judge (Sr. Divn.) S.A.S. Nagar, Mohali to the Court of competent jurisdiction at Amritsar.

According to the applicant, on account of cruel treatment given to her by the respondent and his family members after marriage between the parties, she had to leave the matrimonial home. Her sister married with brother of respondent was also treated in the similar manner. The applicant does not have any source of income. She is taking care of minor daughter of

the parties, who is aged about 3 years. It is difficult for her to travel from Amritsar to Mohali covering a distance of 250 kms on one side, therefore, the application be accepted.

Notice of the application was given to the respondent, who as per office report has been duly served through his counsel in the trial Court 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 The petition in question is ordered to be withdrawn from the Court of Civil Judge (Sr. Divn.) S.A.S. Nagar, Mohali and transferred to Family Court at Amritsar for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 6.3.2019. Copies of orders be sent to the Court of Civil Judge (Sr. Divn.) S.A.S. Nagar, Mohali as well as to the Family Court at Amritsar for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 31, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No