

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

T.A. No. 907 of 2018

DATE OF DECISION :- January 18, 2019

Sonia Khurana

...Applicant

Versus

Rohit Katiyal

...Respondent

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

Present:- Mr. Nitin Rathour, Advocate
for Mr. Brijeshwar Singh Bhalla, Advocate for the applicant.

Mr. Ravinder Sharma, Advocate for the respondent.

By way of filing the present application, applicant Sonia Khurana, aged about 27 years, estranged wife of Rohit Katiyal-respondent, presently residing with her parents at Bagha Purana, District Moga seeks transfer of petition under Section 9 of the Hindu Marriage Act, 1955 filed by her husband Rohit Katiyal against her having title 'Rohit Katiyal Vs. Sonia Khurana' pending in the Court of Additional Civil Judge (Sr. Divn.), Sunam to the Court of competent jurisdiction at Moga.

According to the applicant, the marriage between the parties performed on 19.4.2017 did not work on account of cruel attitude of respondent and his family members towards the applicant in connection with demand of dowry. As a pressure tactic, the respondent has filed a petition in question against her which is pending before Additional Civil Judge (Sr. Divn.), Sunam. Being a young woman, having no source of income, it is difficult for her to travel from Moga to Sunam covering a distance of about 125

kms on one side so as to attend the dates of hearing there, therefore, the application be accepted.

Notice of the application was given to the respondent, who had put in appearance through counsel vehemently opposing the application.

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, the same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of Additional Civil Judge (Sr. Divn.), Sunam and transferred to Family Court at Moga for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 12.2.2019. Copies of orders be sent to the Court of Additional Civil Judge (Sr. Divn.), Sunam as well as to the Family Court at Moga for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 18, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No