

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

TA-908-2018 (O&M)

Date of decision: 13.02.2019

Geeta Rani

...Applicant

Versus

Sahil Shahi

...Respondent

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

Present: Ms. Babita, Advocate for
Ms. Sheena Khanna, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

By way of moving the present application, applicant Geeta Rani, aged about 24 years, estranged wife of respondent Sahil Shahi, presently residing with her parents at Village Aur, Tehsil and District Nawanshahr (SBS Nagar), seeks transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Sahil Shahi Vs. Geeta Rani' pending in the Court of District Judge, Ludhiana to the Court of competent jurisdiction at Nawanshahr i.e. SBS Nagar.

As per case of the applicant, marriage performed between the parties on 05.02.2018 did not work on account of demand of dowry raised by the respondent and his family members from the applicant. The applicant accompanied by the respondent came to her parental house on 02.06.2018 for few days, however, the respondent did not come to take her back to the matrimonial home and she is staying there since then. She

has filed a petition under Section 125 Cr.P.C., against the respondent in Court at Nawanshahr. As a counter blast, the respondent has filed petition under Section 9 of the Hindu Marriage Act against her in Court at Ludhiana. The applicant being a young woman, having financial constraints, it is difficult for her to go from Nawanshahr to Ludhiana, to attend the dates of hearing in Court there. 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Ludhiana and transferred to Family Court at Nawanshahr (SBS Nagar) for disposal in accordance with law.

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 :

Yes

No

Whether Reportable :

Yes

No