

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

T.A. No. 939 of 2018

DATE OF DECISION :- January 17, 2019

Pratima

...Applicant

Versus

Narender Kumar Dahiya

...Respondent

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

Present:- Mr. Himanshu Sharma, Advocate
for Mr. B.B. Bagga, Advocate for the applicant.

Applicant Pratima, aged about 45 years wife of Narender Kumar Dahiya-respondent, presently residing at Panchkula by way of filing the instant application seeks transfer of petition under Section 10 of the Hindu Marriage Act filed by her husband Narender Kumar Dahiya against her having title 'Narender Kumar Dahiya Vs. Pratima' pending before District Judge (Family Court), Sonapat to the Court of competent jurisdiction at Panchkula.

According to the applicant, the marriage between the parties was solemnized on 11.8.1994. The relations between the spouses became strained. The respondent has filed petition in question against the applicant, which is pending before District Judge (Family Court), Sonapat. Being a middle aged woman, it is difficult for her to travel from Panchkula to Sonapat covering a distance of 200 kms on one side. She does not have any

source of income, therefore, the application be accepted.

Notice of the application was given to the respondent, who as per office report has been duly served but has not appeared to 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 The petition in question is ordered to be withdrawn from the Court of District Judge (Family Court), Sonapat and transferred to Family Court at Panchkula for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 13.2.2019. Copies of orders be sent to the Court of District Judge (Family Court), Sonapat as well as to the Family Court at Panchkula for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 17, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No