

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

TA-968-2018 (O&M)
Date of decision: 23.07.2019

Anita

...Applicant

Versus

Vishal Sirohi

...Respondent

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

Present: Mr. N.K. Chhokar, Advocate for the applicant.

None for the respondent.

H.S. MADAAN, J. (Oral)

This application for transfer of divorce petition, titled 'Vishal Sirohi Vs. Anita Devi' pending in the Court of District Judge, Family Court, Karnal to the Court of competent jurisdiction at Panipat, has been filed by applicant Anita, aged about 28 years, estranged wife of respondent Vishal Sirohi, presently residing with her parents at Panipat, on account of matrimonial differences between the parties.

According to the applicant, the marriage solemnized between the parties on 24.04.2016 did not work. However, the couple was blessed with a male child, presently aged about 01 year; that on account of harassment and maltreatment at the hands of respondent, the applicant was forced to leave the matrimonial home along with the minor child. She had no other place to go except the house of her parents. She does not have any source of income. She has filed a petition under Section 125 Cr.P.C. for maintenance for herself as well as on behalf of minor child

against the respondent, which is pending before JMIC, Panipat. She has also got registered an FIR No.303 dated 15.04.2017, under Sections 323, 354, 406, 498-A and 34 IPC against the respondent at Police Station Model Town, Panipat. The respondent has filed the petition in question against the applicant just to harass her. Under the circumstances, it is difficult for the applicant to travel from her parental place to Karnal to attend the dates of hearing in the Court there. Therefore, the present application be accepted.

Notice of the application was given to the respondent who was duly served but did not appear 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Karnal and transferred to Family Court at Panipat for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 26.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

23.07.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No