

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 991 of 2018 (O&M)

Date of decision : 11.2.2019

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Deepika Sharma

.....Applicant

vs.

Varinder Kumar

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Bhim Sen Mittal, Advocate for the applicant.

None for the respondent.

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H. S. Madaan, J. (Oral)

Applicant – Deepika Sharma, aged about 33 years, estranged wife of Varinder Kumar, presently residing with her parents at Batala, District Gurdaspur, has filed the instant application under Section 24 CPC, seeking transfer of divorce petition, filed by her husband, who is respondent in the present application, against her, having title 'Varinder Kumar vs. Deepika Sharma' pending in the Court of Additional District Judge, Amritsar, to a Court of competent jurisdiction at Gurdaspur.

According to the applicant, on account of marital discord between the parties, she alongwith minor daughter of the parties, aged about 4 years, is residing with her parents at Batala. She does not have any source of income. It is difficult for her to go from Batala to

Amritsar, covering a distance of 40 kms on one side to attend the dates of hearing in Court at Amritsar. She has filed a petition for maintenance against her husband which is pending in the Court at Batala. Furthermore, she had lodged FIR against the respondent and his mother with Police Station City, Batala. Therefore the application be accepted.

Notice of the application was given to the respondent, who as per the office report, has been served through his counsel in the trial Court, but he 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, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question pending in the court of Additional District Judge, Amritsar, is withdrawn from that Court and transferred to the Family Court at Gurdaspur, for disposal in accordance with law. Parties through counsel are directed to appear there on 12.3.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

11.2.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No