

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

T.A. No. 1641 of 2018

DATE OF DECISION :- August 16, 2019

Sheetal

...Applicant

Versus

Lokesh

...Respondent

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

Present:- Mr. Devender Kumar, Advocate for the applicant.

Applicant Sheetal, aged about 22 years, estranged wife of Lokesh-respondent, presently residing with her parents at Village Ajai, Tehsil Meham, District Rohtak, on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Section 13 of the Hindu Marriage Act filed by her husband Lokesh against her having title 'Lokesh Vs. Sheetal' pending in the Court of Additional District and Sessions Judge, Hoshiarpur to the Court of competent jurisdiction at Rohtak.

Inter alia in the application it is contended that the spouses got married on 17.4.2016 and thereafter they started residing together. They were not blessed with any child. The spouses could not lead happy married life and applicant had lodged an F.I.R. against the respondent and his family members at Police Station, Meham and thereafter the matter was compromised but there was no change in the behaviour of respondent and his family members. Under the compelling circumstances, she had left the matrimonial home and started residing with her parents at Rohtak. Her husband has filed divorce petition against her as a tool of harassment. She being a young woman, having no source of income, it is difficult for her to travel from her parental place to Hoshiarpur covering a distance

of 300 kms on one side to attend the dates of hearing in the Court there, therefore, the application be accepted.

Notice of the application was given to the respondent, who as per office report has been duly served but he has not turned up 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 The petition in question is ordered to be withdrawn from the Court of Additional District and Sessions Judge, Hoshiarpur and transferred to Family Court at Rohtak for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 18.9.2019. Copies of orders be sent to the Court of Additional District and Sessions Judge, Hoshiarpur as well as to the Family Court at Rohtak for information and necessary compliance.

(H.S. MADAAN)
JUDGE

August 16, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No