

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

TA-6982-2018 (O&M)

Date of decision: 14.02.2019

Sunita Rani

...Applicant

Versus

Vikas Gautam

...Respondent

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

Present: Mr. PKS Phoolka, Advocate
for the applicant.

H.S. MADAAN, J. (Oral)

By way of moving the present application, applicant Sunita Rani, aged about 24 years, wife of respondent Vikas Gautam, presently residing with her parents at Bathinda, on account of estranged relations between the spouses, seeks transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Vikas Gautam Vs. Sunita Rani' pending in the Court of District Judge, Family Court, Pathankot to the Court of competent jurisdiction at Bathinda.

According to the applicant, marriage performed between the parties on 03.12.2017 did not work. The couple was not blessed with any child. The applicant had to leave the matrimonial home and start residing with her parents. The applicant has filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 as well as petition under Section 125 Cr.P.C., for maintenance against the

respondent, which are pending in Courts at Bathinda. She being a young woman, having no source of income, it is difficult for her to travel from Bathinda to Pathankot, 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 through his mother 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Pathankot and transferred to Family Court at Bathinda for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 14.03.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

14.02.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No