

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

TA-2959-2018 (O&M)

Date of decision: 21.02.2019

Sunita Rani

...Applicant

Versus

Amrik Singh

...Respondent

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

Present: Mr. Deepak Verma, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Sunita Rani, aged about 25 years, estranged wife of respondent Amrik Singh, presently residing with her parents at Village Hiala, Tehsil Nawanshahr, District SBS Nagar, Punjab, on account of a matrimonial discord between the spouses, by way of moving the present application, seeks transfer of divorce petition under Section 13 of the Hindu Marriage Act, 1955, filed by her husband, the respondent against her having title 'Amrik Singh Vs. Sunita Rani' pending in the Court of Addl. District Judge, Sangrur to the Court of competent jurisdiction at SBS Nagar, Punjab.

As per case of the applicant, marriage performed between the parties on 26.10.2016 did not work on account of cruel treatment given to the applicant by the respondent and his family members in connection with demand of more dowry. The couple was not blessed with any child. She was forced to leave the matrimonial home and she

had no other place to go except her parental house at Village Hiala, Tehsil Nawanshahr, District SBS Nagar, Punjab. As a pressure tactics, the respondent has filed the divorce petition against her in Court at Sangrur. The applicant being a young woman, having no source of income, it is difficult for her to travel from her parental place to Sangrur, to attend the dates of hearing in Court there, covering a distance of 200 kms on one side, changing buses thrice. There is no young male member in her parental family to accompany her, since her parents are of old age and suffering from ailments; that the applicant has filed a petition under Section 125 Cr.P.C., against the respondent which is pending in Court at Nawanshahr (SBS Nagar). Therefore, the present application be accepted.

Notice of the application was given to the respondent who as per office report has been duly served but has not opted to appear and 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 Addl. District Judge, Sangrur and transferred to Family Court at SBS Nagar for disposal in accordance

with law.

The parties through their counsel are directed to appear in the transferee Court on 19.03.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

21.02.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No