

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

TA-962-2018

Date of decision:-2.7.2019

Lakshmi

...Applicant

Versus

Aman Sodhi

...Respondent

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

Present : Mr.Vikas Gupta, Advocate
for the applicant.

None for the respondent.

H.S. MADAAN, J.(ORAL)

By way of filing the present application, the applicant – Smt.Lakshmi, aged about 23 years wife of respondent – Aman Sodhi presently residing with her parents at Tarn Taran, on account of matrimonial discord 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 'Aman Sodhi Versus Lakshmi' pending before Additional Civil Judge(Sr.Divn.), Gurdaspur to any other Court of competent jurisdiction at Tarn Taran.

According to the applicant, the marriage solemnized between the parties unfortunately did not work, though the couple was

blessed with a son presently aged about two years; that the applicant had to leave the matrimonial home and started residing with her parents; that she has filed a petition under Section 125 Cr.P.C. for claiming maintenance against the respondent, which is pending in the Court at Tarn Taran; that just to harass the applicant, the respondent has filed the petition in Court at Gurdaspur; that she being a young woman having no source of income and taking care of son of the parties, it is difficult for her to travel from her parental place at Tarn Taran to Gurdaspur covering a distance of about 100 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 respondent, who initially put in appearance through counsel. The matter was referred to Mediation Centre. However, mediation failed and subsequently, the respondent stop appearing in the Court.

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.

Therefore, the application stands allowed and the petition under Section 9 of Hindu Marriage Act pending in the Court of Additional Civil Judge(Sr.Divn.), Gurdaspur is ordered to be transferred to District Judge, Tarn Taran. Learned District Judge, Tarn Taran may keep the petition with himself or assign it to any other Court. The parties are directed to appear before District Judge, Tarn Taran on 2.8.2019.

Copy of this order be sent to Additional Civil Judge(Sr.Divn.), Gurdaspur as well as District Judge, Tarn Taran for information and necessary compliance.

2.7.2019

Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No