IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

T.A. No. 971 of 2018
DATE OF DECISION :- January 18, 2019

Mona **...Applicant**

Versus

Pramod **...Respondent**

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

Present:- Mr. Yash Dev Kaushik, Advocate for the applicant.

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By way of filing the present application, applicant Mona, aged about 26 years, estranged wife of Pramod-respondent, presently residing with her parents at Ballabgarh, District Faridabad seeks transfer of petition under Section 13(1) (ia) of the Hindu Marriage Act, 1955 filed by her husband Pramod against her having title 'Pramod Vs. Mona' pending in the Court of District Judge (Family Court), Bhiwani to the Court of competent jurisdiction at Faridabad.

Interalia in the application it is contended that the marriage between the parties performed on 24.2.2012 ran into rough weather on account of cruelty perpetrated by the respondent upon the applicant. The applicant had to leave the matrimonial home along with two minor children. The respondent has filed a divorce petition against her in the Court at Bhiwani. The applicant being a woman, required to take care of two minor

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children of the parties, having financial constraints, it is difficult for her to travel from Faridabad to Bhiwani covering a distance of about 160 kms so as to attend the dates of hearing there, as such the 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 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 The petition in question is ordered to be withdrawn from the Court of District Judge (Family Court), Bhiwani and transferred to Family Court at Faridabad for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 14.2.2019. Copies of orders be sent to the Court of District Judge (Family Court), Bhiwani as well as to the Family Court at Faridabad for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 18, 2019
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Whether speaking/reasoned Yes/No

Whether Reportable Yes/No

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