

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

TA-2154-2018

Date of decision:-1.7.2019

Meena

...Applicant

Versus

Naresh Kumar and others

...Respondents

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

Present : Mr.Shokeen Singh Verma, Advocate
for the applicant.

Respondent No.1 is ex-parte.

H.S. MADAAN, J.(ORAL)

By way of filing the present application, the applicant – Smt.Meena, aged about 32 years wife of respondent No.1 – Naresh Kumar presently residing with her parents at Jind 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 'Naresh Kumar Versus Meena' pending before District Judge, Rohtak to any other Court of competent jurisdiction at Jind.

According to the applicant, the marriage solemnized between the parties on 9.12.2012 did not work and the couple was not

blessed with any child; that the applicant had to leave the matrimonial home on account of harassment and cruelty meted out to her for the reason of demand of dowry raised by respondent and his family members; that she had no other place to go except the house of her parents at Jind; that the applicant does not have any source of income; that she has initiated matrimonial litigation against the respondents within District Jind lodging FIR under Sections 313, 323, 34, 406, 498-A and 506 IPC against the respondents, filing a petition under Section 125 Cr.P.C. against the respondent No.1, further instituting a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 against the respondents and the respondents have put in appearance in all those cases; that just to harass the applicant, the respondent No.1 has filed the petition in question against the applicant in the Court at Rohtak; that it is difficult for the applicant to travel from her parental place at Jind to Rohtak covering a distance of about 70 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 Naresh Kumar – respondent No.1, who was served but not appeared, as such he was proceeded against ex-parte.

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 the Hindu Marriage Act pending in the Court of District Judge, Rohtak is ordered to be transferred to the District Judge, Family Court, Jind. The parties are directed to appear before District Judge, Family Court, Jind on 1.8.2019.

Copy of this order be sent to District Judge, Rohtak as well as District Judge, Family Court, Jind for information and necessary compliance.

1.7.2019
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No