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

TA No. 479 of 2018

Date of Decision: 23.10.2018

Harmanjot Kaur

-Petitioner

Vs

Sandeep Singh

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sumeet Puri, Advocate,
for the petitioner.

Mr. Parminder Singh Kanwar, Advocate,
for the respondent.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner has prayed for transfer of petitions under Section 9 and 13 of Hindu Marriage Act filed by the respondent at Family Court, Hoshiarpur.

During course of arguments, learned counsel for the respondent states that petition under Section 9 of Hindu Marriage Act stands withdrawn on 08.03.2018. In the petition under Section 13 of Hindu Marriage Act, petitioner has already been proceeded against exparte vide order dated 17.05.2017 and till date, no application for setting aside exparte proceedings has been filed by the petitioner.

In the dispute arising out of matrimonial proceedings,

convenience of womenfolk is to be appreciated unless and until grave prejudice is caused to the husband.

During course of proceedings before this Court, both the parties concurred on a common place where the proceedings under Section 13 of Hindu Marriage Act can be transferred.

Keeping in view the place of abode of petitioner and the respondent, it would be just and appropriate to transfer the petition under Section 13 of Hindu Marriage Act from the Family Court, Hoshiarpur to the court of District Judge, Ropar.

In view of ratio of **Sumita Singh vs Kumar Sanjay and another, AIR 2002 SC 396** and **Neelam Kanwar vs Devinder Singh Kanwar, (2000) 10 SCC 589**, I deem it appropriate to transfer the petition under Section 13 of Hindu Marriage Act to the court of District Judge, Ropar who will assign appropriate court to the case on receipt of the record.

Disposed of.

23.10.2018

Jyoti Yadav

**(RAJ MOHAN SINGH)
JUDGE**

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No