

Sr. No.211

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

**TA No.130 of 2019 (O&M)
Date of Decision: 13.01.2020**

Ranjeet Kaur

... Applicant

Versus

Jagir Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Arshit Goel, Advocate,
for the applicant.

Mr. Durga Dutt Sharma, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 9 of the Hindu Marriage Act bearing HMA No.2 of 2019 titled as “Jagir Singh Vs. Ranjeet Kaur” pending in the Court of Additional Civil Judge, (Senior Division) Tohana, District Fatehabad to the Court of competent jurisdiction at Patiala.

2. Learned counsel for the applicant submits that two more petitions filed by the applicant-wife are pending at Patiala.

3. Learned counsel for the applicant further submits that petitioner is residing at Patiala. She has one minor daughter. The distance between Tohana and Patiala is about 110 Kilometers. She has no source of income and it is difficult for her to go to Tohana, District Fatehabad on each date of hearing. On the other hand,

respondent is a well earning man and he can attend the Court proceedings at Patiala.

4. I have heard learned counsel for the parties and have gone through the record of the case.

5. All the cases pending between the parties are aftermath of matrimonial discord. Keeping in view the contentions in the application and the conceded position that petition under Section 125 Cr.P.C. and case under Section 12 of protection of Women from Domestic Violence Act are already pending in the Court at Patiala, it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

6. Learned counsel for the applicant also relies upon judgment of Hon'ble Apex Court in case titled ***Sumita Singh Vs. Kumar Sanjay and another, AIR 2002 SC 396***, wherein it is held that transfer of matrimonial proceedings initiated by the husband against wife, convenience of the wife ought to be looked into.

7. In the premise, present application is allowed. The petition in question pending before the Court of learned Additional Civil Judge (Senior Division), Tohana exercising the power of District Judge, Fatehabad is ordered to be withdrawn from that Court and is transferred to the District Judge, Patiala for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

13.01.2020
vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No