

Sr. No.209

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

**TA No.182 of 2019
Date of Decision: 16.01.2020**

Sunita

... Applicant

Versus

Kulwant Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.L.S. Lakhanpal, Advocate,
for the applicant.

Mr. Gourav Gulati, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act bearing HMA No.1002 of 2017 titled as “Kulwant Singh Vs. Sunita” pending in the Court of Learned Additional District Judge, Patiala to the Court of competent jurisdiction at Chandigarh.

2. Learned counsel for the applicant submits that one more petition filed by the applicant-wife and respondent is pending at Chandigarh.

3. Learned counsel for the applicant further submits that petitioner is residing at Chandigarh. She has one minor son. She has no source of income and it is difficult for her to go to Patiala on each date of hearing. On the other hand, respondent is a ex-serviceman and he can attend the Court proceedings at

Chandigarh.

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 128 Cr.P.C. is already pending in the Court at Chandigarh, 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 The petition in question pending before the Court of Additional District Judge, Patiala is ordered to be withdrawn from that Court and is transferred to the District Judge, Chandigarh for its disposal in accordance with law by the Court concerned.

16.01.2020

Satyawan

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No