

Sr. No.204

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

TA-181-2019

Date of Decision: 04.02.2020

SONIA

... Applicant

Versus

AMANDEEP SHARMA

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Tarun Seth, Advocate,
for the applicant.

None for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of divorce petition under Section 13 of the Hindu Marriage Act, 1955 filed by the respondent-husband bearing HMA No.1100/2018 titled as "Amandeep Sharma v/s Sonia" pending in the Court of District Judge (Family Court), Karnal to the Court of competent jurisdiction at Jind.

2. Learned counsel for the applicant-wife submits that there is Plethora of litigation pending between the parties at Jind.

3. Learned counsel for the applicant further submits that petitioner is residing at Jind. She has no source of income and it is very difficult for her to attend hearing at Karnal which is 130 kms from Jind. 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.

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 (3) Cr.P.C. and complaint under Section 12 of the Protection of Women for Domestic Violence Act, 2005 and another case under Section 498-A IPC are already pending at Jind, it would be proper, appropriate and in the interest of justice, if both cases are tried and decided at one place.

6. In the premise, present application is allowed. The petition in question pending before the Court of District Judge, (Family Court), Karnal is ordered to be withdrawn from that Court and is transferred to the District Judge, Jind for its disposal in accordance with law by the Court concerned.

04.02.2020

Sonu

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No