

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

**T.A NO. 210 OF 2019  
DATE OF DECISION : 27.01.2020**

**Bitu Tanwar**

**...Applicant**

**versus**

**Rajnish**

**...Respondent**

**CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. Harsh Vardhan Shehrawat, Advocate,  
for the applicant.

Mr. Jatin Hans, Advocate,  
for the respondent.

**ARUN MONGA, J. (ORAL)**

This petition has been filed by wife seeking transfer of a petition filed by her husband under Section 13(1)(i-a) (i-b) of the Hindu Marriage Act, 1955, titled as "Rajnish v. Bitu Tanwar" from the Court of Principal Judge, Family Court, Rohtak to any other Court of competent jurisdiction at Bhiwani.

2. Learned counsel for the applicant submits that two more cases filed by the applicant-wife, are pending in the Courts at Bhiwani.

3. Learned counsel for the applicant further submits that applicant is residing with her parents at Bhiwani. She has no source of income and is totally dependent upon her parents. She has one minor child to look after. It is very difficult for her to travel from Bhiwani to Rohtak on each and every date of hearing.

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 averments contained in the application and the conceded position that two petitions under Section 125 Cr.P.C and under Section 12 of the Protection of Women from Domestic Violence Act, 2005, instituted at the instance of applicant-wife, are already pending in the Courts at Bhiwani, 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 The petition in question pending before the Court of Principal Judge, Family Court, Rohtak is ordered to be withdrawn from that Court and is transferred to District Judge, Bhiwani, for its disposal in accordance with law by the Court concerned.

**(ARUN MONGA)**  
**JUDGE**

**JANUARY 27, 2020**  
shalini

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