

Sr. No.205

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

TA-240-2019

Date of Decision: 04.02.2020

BHANU PRIYA

... Applicant

Versus

DINESH KUMAR

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Ruhani Chadha, Advocate,
for the applicant.

Mr.A.S.Syan, Advocate
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of divorce petition under Section 9 of the Hindu Marriage Act, 1955 filed by the respondent-husband titled as “Dinesh Kumar v/s Bhanu Priya” pending in the Court of District Judge (Family Courts), Patiala to the Court of competent jurisdiction at Panchkula.
2. Learned counsel for the applicant-wife submits that two more cases between the parties are pending at Panchkula.
3. Learned counsel for the applicant further submits that petitioner is residing at Panchkula with her parents. She has no source of income. She has one minor daughter to take care of and it is very difficult for her to attend hearing at Patiala which is 70 kms from Panchkula. 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 Cr.P.C. and complaint under Sections 12, 17, 18, 19, 20, 22 & 23 of Protection of Women for Domestic Violence Act, 2005 are already pending at Panchkula, it would be proper, appropriate and in the interest of justice, if all 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 The petition in question pending before the Court of District Judge, Patiala is ordered to be withdrawn from that Court and is transferred to the District Judge, Panchkula for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

04.02.2020

Sonu

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No