

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

**TA No. 356 of 2020
Date of decision: 28.10.2020**

Poonam

...Petitioner

Versus

Sandeep

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rahul Vats, Advocate
for the petitioner.

Mr. Virat Rana, Advocate
for the respondent.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for transfer of the petition, filed by the respondent-husband under Section 13(1)(i)(a) of the Hindu Marriage Act, 1955 titled as ***Sandeep vs. Poonam : Case No. HMA 682 of 2019*** (Annexure P-1), from the Court of the District Judge (Family Court), Jhajjar to a competent Court of law at Gurugram.

Learned counsel for the petitioner-wife submits that daughter of the petitioner is aged about four years and she is living with the petitioner. It is further submitted that petitioner-wife is not having any independent source of income and a complaint under the Protection of Women from Domestic Violence Act is already pending before Chief Judicial Magistrate, Gurugram as well as a petition under Section 125 Cr.P.C. is also pending before Family Court at Gurugram.

Learned counsel for the petitioner, thus, submits that it is very difficult for the petitioner-wife to contest the aforesaid petition at Jhajjar as

other litigation is already pending before the Courts at Gurugram.

Learned counsel for the respondent-husband has opposed the prayer of the petitioner.

After hearing learned counsel for the parties, considering the fact that petitioner-wife has no independent source of income and she has to maintain her four years' daughter who is living with her and also in view of the fact that other litigation is already pending at Gurugram, the present petition is allowed.

Accordingly, the petition filed by the respondent-husband, under Section 13(1)(i)(a) of the Hindu Marriage Act, 1955 titled as ***Sandeep vs. Poonam : Case No. HMA 682 of 2019*** (Annexure P-1), is ordered to be transferred from the Court of District Judge (Family Court), Jhajjar to a competent of law at Gurugram.

28.10.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No