

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

**T.A NO. 267 OF 2019
DATE OF DECISION : 08.01.2020**

Baby Sharma

...Applicant

versus

Jasvir Devgan

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Jasdeep Singh, Advocate,
for the applicant.

Mr. G. S. Dhaliwal, Advocate for
Mr. F. S. Virk, 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 9 of the Hindu Marriage Act, titled as "Jashveer Sharma v/s Baby" pending in the Court of District Judge, Family Court, Karnal to any other Court of competent jurisdiction at SAS Nagar (Mohali), Punjab.

2. Learned counsel for the applicant submits that another petition under Section 125 Cr.P.C is pending at the Courts at SAS Nagar, Mohali. The applicant is residing with her parents at Mohali and it is very difficult for her to travel for about 130 kms from Mohali to Karnal on each date of hearing.

3. I have heard learned counsel for the parties and have gone through the record of the case.

4. 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 petition under Section 125 Cr.P.C. is already pending in the Court at SAS Nagar, Mohali, it would be proper, appropriate and in the interest of justice if both the cases are tried and decided at one place.

5. 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.

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 The petition in question pending before the Court of District Judge, Family Court, Karnal is ordered to be withdrawn from that Court and is transferred to District Judge, SAS Nagar, Mohali, for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

JANUARY 08, 2020
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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |