

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

T.A NO. 290 OF 2019

DATE OF DECISION : 09.01.2020

Manu Devi @ Mannu Devi

...Applicant

versus

Sukhchain Singh and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ajay Pal Singh, Advocate,
for the applicant.

Mr. J. S. Mehndiratta, Advocate,
for respondent No.1.

ARUN MONGA, J. (ORAL)

This petition has been filed by wife seeking transfer of a petition filed by her husband under Section 13 of the Hindu Marriage Act, titled as "Sukhchain Singh v. Manu Devi and another" from the Court of Additional District Judge, Ludhiana to any other Court of competent jurisdiction at District Court, Chandigarh.

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

3. Learned counsel for the applicant further submits that applicant is residing with her parents at Chandigarh. She has no source of income and is totally dependent upon her parents. It is very difficult for her to travel from Chandigarh to Ludhiana on each and every date of hearing which is at a distance of more than 100 km and to bear the expenses of travelling. On the other hand, respondent is a businessman and can attend court at Chandigarh without any inconvenience.

4. I have heard the learned counsel for the parties and have gone through the record.

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 FIR No.0049 dated 26.02.2019 registered against the respondent at Police Station Women Cell, Chandigarh and petition under Section 125 Cr.P.C, instituted at the instance of applicant-wife, are also pending in the Court at Chandigarh, 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 The petition in question pending before the Court of Additional District Judge, Ludhiana is ordered to be withdrawn from that Court and is transferred to District Judge, Chandigarh, for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

JANUARY 09, 2020
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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |