

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

**T.A NO. 306 OF 2019 (O&M)
DATE OF DECISION : 09.01.2020**

Surbhi Setia

...Applicant

versus

Ankur Midha

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Arun Dogra, Advocate,
for the applicant.

Mr. Priyanshu Kamra, 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 of the Hindu Marriage Act, bearing case No.29 of 2019 titled as "Ankur Midha vs. Surbhi" from the Court of District & Sessions Judge, Fazilka to any other Court of competent jurisdiction at district Chandigarh.

2. Learned counsel for the applicant submits that applicant is residing with her brother at Chandigarh. She has one minor son to look after. She has no source of income. Her father has already expired. It is very difficult for her to travel 350 kms from Chandigarh to Fazilka on each and every date of hearing and bear the travelling expenses. On the other hand, respondent have no inconvenience to attend the court at Chandigarh.

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

4. 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.

5. In the premise, present application is allowed. The petition in question pending before the District and Sessions Judge, Fazilka is ordered to be withdrawn from that Court and is transferred to District Judge, Chandigarh, for its disposal in accordance with law by the Court concerned.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 |