

Sr. No.205

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

TA No.331 of 2019

Date of Decision: 29.01.2020

SAVITA

... Applicant

Versus

RAJAT SAHOTRA

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

**Present:- Mr. Reena, Advocate,
for the applicant.**

**Mr. Mayur Kanwar, Advocate,
for the respondent.**

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 9 of Hindu Marriage Act bearing CNR No. HRPK01-000755/2019 titled as “Rajat Sahotra v/s Savita” pending in the Court of District and Sessions Judge, Panchkula to the Court of competent jurisdiction at Amritsar.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C. and a complaint under Section 12(i) the Protection of Women from Domestic Violence Act, 2005 filed by the applicant-wife are pending at Amritsar.

3. Learned counsel for the applicant further submits that petitioner is residing at Amritsar. She has no source of income and it is difficult for her to come to Panchkula on each date of hearing.

On the other hand, respondent was dentist and currently he is not

in practice.

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 Section 12(i) of the Protection of Women from Domestic Violence Act, 2005 are already pending in the Court at Amritsar, 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 The petition in question pending before the Court of District Judge, Panchkula is ordered to be withdrawn from that Court and is transferred to the District Judge, Amritsar for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

29.01.2020

Sonu

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No