

Sr. No.211

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

TA No.339 of 2019

Date of Decision: 16.01.2020

Sheetal Kanwar

... Applicant

Versus

Prateek Chauhan

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.D.V.Sharma, Sr. Advocate, with
Ms. Pooja, Advocate,
for the applicant.

Mr. Munish Behl, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act bearing HMA No.2969 of 2018 titled as “Prateek Chauhan Vs. Sheetal Kanwar” pending in the Court of Learned Additional District Judge, Faridabad to the Court of competent jurisdiction at Gurugram.

2. Learned counsel for the applicant submits that one more petition filed by the applicant-wife and respondent is pending at Gurugram.

3. Learned senior counsel for the applicant further submits that petitioner is residing at Gurugram. She has one minor daughter. He further submits that both husband and wife are

working at Gurugram, and he can attend the Court proceedings at Gurugram.

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 as reflected from the pleadings that both husband and wife are working at Gurugram and that a petition under Section 125 Cr.P.C. is pending at Gurugram, 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 The petition in question pending before the Court of Learned District Judge, Faridabad is ordered to be withdrawn from that Court and is transferred to the District Judge, Gurugram for its disposal in accordance with law by the Court concerned.

16.01.2020

Satyawan

Whether speaking/reasoned

Whether Reportable

(ARUN MONGA)
JUDGE

Yes/No

Yes/No