

**Sr. No.210
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**TA No.338 of 2019 (O&M)
Date of Decision: 06.02.2020**

Dhanwant Kaur Ralh

... Applicant

Versus

Baljinder Bansal

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Sarju Puri, Advocate,
for the applicant.

Mr. Arun Takhi, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of Hindu Marriage Act, 1955 titled as “Baljinder Bansal Vs. Dhanwant Kaur Ralh” pending in the Court of Learned Principal Judge, Family Court, Hoshiarpur to the Court of competent jurisdiction at Shaheed Bhagat Singh Nagar.

2. Learned counsel for the applicant-petitioner submits that petitioner is a permanent resident of VPO Rahon, District SBS Nagar and is on a temporary visit to her parents in Italy whereas the respondent has permanently settled in Italy since long and has been living in that country.

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

4. The case pending between the parties is aftermath of matrimonial discord. Keeping in view the contentions in the

application and the conceded position that respondent is living in Italy and has been pursuing the case through power of attorney. At the time of arguments, learned counsel for the respondent was asked to pay flight ticket but he declined to pay the same.

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The petition in question pending before the Court of learned Principal Judge, Family Court, Hoshiarpur is ordered to be withdrawn from that Court and is transferred to the District Judge, Shaheed Bhagat Singh Nagar for its disposal in accordance with law by the Court concerned.

06.02.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No