

**Sr. No.204
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**TA No.349 of 2019 (O&M)
Date of Decision: 11.02.2020**

Kajal

... Applicant

Versus

Chanderjit Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mrs. Manjari Joshi, Advocate,
for the applicant.

Mr. S.K.Choudhary, 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.573/2018 titled as “Chanderjit Singh Vs. Kajal” pending in the Court of Learned Additional District Judge, Hoshiarpur to the Court of competent jurisdiction at Jalandhar.

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

3. Learned counsel for the applicant further submits that petitioner is residing at Jalandhar. She has no source of income. The distance between Jalandhar and Hoshiarpur is about 42 Kms. One minor daughter 5 years old is in the custody of applicant-wife

and is school going, who needs constant care and attention of the mother. She cannot leave her behind to attend the Court proceedings. Therefore, it is difficult for her to go to Hoshiarpur on each date of hearing.

4. Learned counsel for the respondent opposes the transfer application on the ground that distance between Jalandhar and Hoshiarpur is less than 50 Kms.

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

6. 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. for grant of maintenance and complaint under Section 12 of Protection of Women from Domestic Violence Act, 2005 are already pending in the Court at Jalandhar, it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

8. In the premise, present application is allowed. The petition in question pending before the Court of learned Additional District Judge, Hoshiarpur is ordered to be withdrawn from that Court and is transferred to the District Judge, Jalandhar for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

11.02.2020
vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No