

Sr. No.201

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

**TA No.372 of 2019 (O&M)
Date of Decision: 23.01.2020**

Mandeep Kaur

... Applicant

Versus

Vicky Singh @ Bikkar Singh and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Ms. Sakshi Saini, Advocate for
Mr. HPS Ishar, Advocate,
for the applicant.

Ms. Jagwinder Bir Kaur, Advocate,
for the respondents.

ARUN MONGA, J.(ORAL)

Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act bearing HMA No.134 of 2019 titled as “Vicky Singh @ Bikkar Singh Vs. Mandeep Kaur and another” pending in the Court of District Judge, Sangrur to the Court of competent jurisdiction at Mansa.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C. filed by the applicant-wife is pending at Mansa.

3. Learned counsel for the applicant further submits that petitioner is residing at Mansa. She has no source of income. The distance between Sangrur and Mansa is about 60 Kms. and it is difficult for her to go to Sangrur to attend the Court hearing. On the other hand, respondent is a well earning man. He can attend the

Court proceedings at Mansa.

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

5. Both 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. is already pending in the Court at Mansa, it would be proper, appropriate and in the interest of justice if both 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 The petition in question pending before the Court of District Judge, Sangrur is ordered to be withdrawn from that Court and is transferred to the District Judge, Mansa for its disposal in accordance with law by the Court concerned.

23.01.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No