

Sr. No.211

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

TA-389-2019

Date of Decision: 04.02.2020

HARMANPREET KAUR

... Applicant

Versus

AMANDEEP SINGH

...Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Chetan Goyal, Advocate
for the applicant.

Mr.Gulzar Mohammad, Advocate
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition under Section 9 of the Hindu Marriage Act, 1955 filed by the respondent-husband bearing HMA No.130 of 2018 titled as "Amandeep Singh v/s Harmanpreet Kaur" pending in the Court of Civil Judge (Sr.Divn.), Jalandhar to the Court of competent jurisdiction at Nabha.

2. Learned counsel for the applicant-wife submits that two more cases between the parties are pending in court at Nabha, Distt. Patiala.

3. Learned counsel for the applicant further submits that petitioner is residing at Nabha with her parents. She has no source of income and it is very difficult for her to attend hearing at Jalandhar which is 165 kms from Nabha. 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.

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 Sections 125 Cr.P.C. and complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 are already pending at Nabha, it would be proper, appropriate and in the interest of justice, if all cases are tried and decided at one place.

6. In the premise, present application is allowed. The petition in question pending before the Court of Civil Judge (Sr.Divn.), Jalandhar is ordered to be withdrawn from that Court and is transferred to the District Judge, Patiala for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

04.02.2020

Sonu

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No