

Sr. No.207

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

**TA No.399 of 2019 (O&M)
Date of Decision: 05.02.2020**

Sukhwinder Kaur

... Applicant

Versus

Manpreet Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. D.S.Malwai, Advocate,
for the applicant.

Mr. Siddharth Gupta, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 9 of the Hindu Marriage Act bearing DMC No.231 of 2019 titled as “Manpreet Singh Vs. Sukhwinder Kaur” pending in the Court of Principal Judge, Family Court, Bathinda to the Court of competent jurisdiction at Sangrur.

2. Learned counsel for the applicant submits that petitioner is residing at Sangrur. The distance between Bathinda and Sangrur is about 100 kms. One minor child born out of wedlock is in custody of the applicant-wife. She has no source of income and it is very difficult for the applicant to travel with the minor child of 6 months, who needs 24 x 7 hours constant attention given his tender age of 6 months.

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 are aftermath of matrimonial discord.

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 The petition in question pending before the Court of Principal Judge, Family Court, Bathinda is ordered to be withdrawn from that Court and is transferred to the District Judge, Sangrur for its disposal in accordance with law by the Court concerned.

05.02.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No