

**Sr. No.208
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**TA No.420 of 2019 (O&M)
Date of Decision: 05.02.2020**

Kalo Devi

... Applicant

Versus

Thani Ram @ Thana Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Karan Jindal, Advocate for
Mr. A.S.Brar, Advocate,
for the applicant.

None 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 , 1955 titled as “Thani Ram @ Thana Singh Vs. Kalo Devi” pending in the Court of Learned Civil Judge, (Senior Division), District Sri Muktsar Sahib to the Court of competent jurisdiction at Moga.

2. Learned counsel for the applicant submits that petition under Section 125 Cr.P.C. and complaint under Sections 12, 18 (d) e and (f), 20 (i) (b) and (d), 22 and 23 of the Protection of Women from Domestic Violence Act, 2005 filed against the husband at the instance of applicant-wife are already pending at Moga.

3. Learned counsel for the applicant further submits that petitioner is residing at Moga. She has six daughters. Eldest one is stated to be of 19 years and is major and married and others are minor and in the custody of the applicant-wife. The distance

between Muktsar Sahib and Moga is about 95 kms. She has no source of income and it is difficult for her to go to Sri Muktsar Sahib on each date of hearing.

4. I have heard learned counsel for the applicant and have gone through the record of the case. Earlier, the respondent had caused appearance. Today, none is present for him. It seems that respondent-husband has deeminglly consented to the present transfer application by not contesting the same.

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

5. In the premise, present application is allowed. The petition in question pending before the Court of Learned Civil Judge,(senior Division) District Sri Muktsar Sahib is ordered to be withdrawn from that Court and is transferred to the District Judge, Moga for its disposal in accordance with law by the Court concerned having competent jurisdiction.

(ARUN MONGA)
JUDGE

05.02.2020
vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No