

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

**T.A NO. 440 OF 2019
DATE OF DECISION : 12.02.2020**

Charanjit Kaur

...Applicant

versus

Pargat Singh

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Veeraj Sharma, Advocate for
Mr. Sidharth Gupta, Advocate,
for the applicant.

Mr. S. P. Khera, Advocate,
for the respondent.

ARUN MONGA, J. (ORAL)

This petition has been filed by the applicant-wife seeking transfer of a petition filed by her husband under Section 13 of the Hindu Marriage Act, 1955 (hereinafter referred to as "HMA"), bearing HMA No.1323/2018 titled as "Pargat Singh v. Charanjit Kaur" pending in the Court of District Judge, Family Court, Moga to any other Court of competent jurisdiction at Bathinda.

2. Learned counsel for the applicant submits that applicant is residing with her parents at village Kalyan Sukha, District Bathinda. One girl child born out of the wedlock is in the custody of applicant. She has no source of income. There is no male member in her family to accompany her to the Court. It is very difficult for her to travel 80 kms from Bathinda to Moga on each and every date of hearing.

3. 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 records of the case.

5. The case pending between the parties is aftermath of matrimonial discord.

6. In the premise, present application is allowed. The petition in question pending before the Court of District Judge, Family Court, Moga is ordered to be withdrawn from that Court and is transferred to District Judge, Bathinda for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 12, 2020
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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |