

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

T.A NO. 439 OF 2019

DATE OF DECISION : 08.01.2020

Anit Kaur

...Applicant

versus

Joga Singh

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. V. S. Narwal, Advocate,
for the applicant.

Respondent proceeded ex parte.

ARUN MONGA, J. (ORAL)

This petition has been filed by wife seeking transfer of a petition filed by her husband under Section 13 of the Hindu Marriage Act, titled as "Joga Singh v. Anit Kaur" from the Court of District Judge, Family Court, Panchkula to any other Court of competent jurisdiction at District Kurukshetra.

2. Learned counsel for the applicant submits that two more petitions filed by the applicant-wife are pending in the Courts at Kurukshetra.

3. Learned counsel for the applicant further submits that applicant is residing with her parents at Kurukshetra. There is no one in her family who can accompany her from Kurukshetra to Panchkula on each and every date of hearing.

4. None appeared on behalf of the respondent and as such, he was proceeded ex parte vide order dated 08.07.2019.

5. I have heard learned counsel for the applicant and have gone through the record of the case.

6. All the cases pending between the parties are aftermath of matrimonial discord. Keeping in view the averments contained in the application and the conceded position that petitions under Section 125 Cr.P.C and Protection of Women from Domestic Violence Act, 2005, instituted at the instance of applicant-wife, are already pending in the Court at Kurukshetra, it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

7. 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.

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 The petition in question pending before the Court of District Judge, Family Court, Panchkula is ordered to be withdrawn from that Court and is transferred to District Judge, Kurukshetra, for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

JANUARY 08, 2020
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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |