

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

T.A NO. 446 OF 2019

DATE OF DECISION : 09.01.2020

Manpreet Kaur

...Applicant

versus

Mandeep Singh

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Maninder Arora, Advocate,
for the applicant.

Respondent ex parte.

ARUN MONGA, J. (ORAL)

This petition has been filed by wife seeking transfer of a petition filed by her husband under Section 9 of the Hindu Marriage Act, bearing HMA No.111/2018 from the Court of Additional Civil Judge(Senior Division), Phagwara to any other Court of competent jurisdiction at district Chandigarh.

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

3. Learned counsel for the applicant further submits that applicant is residing with her parents at Chandigarh. She has no source of income and is totally dependent upon her parents. It is very difficult for her to travel 135 kms from Chandigarh to Phagwara 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 18.09.2019.

5. 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 one criminal complaint and petition under Section 125 Cr.P.C, instituted at the instance of applicant-wife, are already pending in the Court at Chandigarh, it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

6. 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.

7. In the premise, present application is allowed. The petition in question pending before the Court of Additional Civil Judge (Senior Division), Phagwara is ordered to be withdrawn from that Court and is transferred to District Judge, Chandigarh, for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

JANUARY 09, 2020

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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |