

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

T.A NO. 441 OF 2019

DATE OF DECISION : 10.01.2020

Disha Anand

...Applicant

versus

Harish Kumar Bassi

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. B. D. Sharma, 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 9 of the Hindu Marriage Act, titled as "Harish Kumar Bassi v. Disha Anand" from the Court of Additional District & Sessions Judge, Family Court, Ludhiana to any other Court of competent jurisdiction at district Amritsar.

2. Learned counsel for the applicant submits that one more petition under Section 125 Cr.P.C., filed by the applicant-wife, is pending in the Court at Amritsar.

3. Learned counsel for the applicant further submits that applicant is a house wife and she has no source of income. She has one minor child to look after. She is residing at her parental house at Amritsar. It is very difficult for her to travel 150 kms from Amritsar to Ludhiana 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 21.08.2019.

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 petition under Section 125 Cr.P.C, instituted at the instance of applicant-wife, is already pending in the Court at Amritsar, 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in question pending before the Court of Additional District & Sessions Judge, Family Court, Ludhiana is ordered to be withdrawn from that Court and is transferred to District Judge, Amritsar, for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

JANUARY 10, 2020
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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |