

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

**T.A NO. 463 OF 2019
DATE OF DECISION : 07.02.2020**

Hempati

...Applicant

versus

Vishanpal @ Vishnu

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Ms. Anu Bala Garg, Advocate,
for the applicant.

None 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 12(1)(c) and 13 (i)(ia) of the Hindu Marriage Act, 1955, bearing No. DMC/460/2019 titled as "Vishanpal @ Vishnu v. Hempati" from the Court of Principal Judge, Family Court, Sonipat to any other Court of competent jurisdiction at Bhiwani.

2. Learned counsel for the applicant submits that criminal proceedings vide two separate FIRs bearing Nos.97 of 04.04.2019 and No. 120 of 21.04.2019 under Sections 323/34/498-A/506 IPC are pending investigation at Police Station Bawani Khera, District Bhiwani. She further submits that two more petitions one under Section 125 Cr.P.C and second under Section 12 of the Protection of Women from Domestic Violence Act, 2005, filed by the applicant-wife, are pending in the Courts at Bhiwani.

3. Learned counsel for the applicant also submits that applicant is residing with her parents. She has no source of income. It is very difficult for her to travel 105 kms from Bhiwani to Sonipat and back on each and every date of hearing.

4. On the last date of hearing there was representation on behalf of the respondent, but today respondent has chosen not to appear. Prima-facie it seems that he is not interested to object the petition any more.

5. I have heard learned counsel for the applicant and have gone through the records 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 two FIRs and two petitions under Section 125 Cr.P.C and under Section 12 of the Domestic Violence Act, 2005, instituted at the instance of applicant-wife, are already pending adjudication at Bhiwani, it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

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 The petition in question pending before the Court of Principal Judge, Family Court, Sonipat, is ordered to be withdrawn from that Court and is transferred to District Judge, Bhiwani for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 07, 2020
shalini

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