

Sr. No.258

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

**TA No.462 of 2019 (O&M)
Date of Decision: 07.02.2020**

Renu

... Applicant

Versus

Ravinder

... 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)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 9 of the Hindu Marriage Act, bearing DMC No.447/2019 titled as “Ravinder Vs. Renu” pending in the Court of learned Additional Judge, Family Court, Sonapat to the Court of competent jurisdiction at Bhiwani.

2. Learned counsel for the applicant submits that two FIRs under Sections 498-A/323/34/506 of IPC against the respondent are pending for investigation registered at the instance of applicant and her sister and one petition under Section 125 Cr.P.C. and one complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 are also pending at District Bhiwani.

3. Learned counsel for the applicant submits that the applicant-wife is residing with her parents at Village Siwada, Tehsil Bawani Khera, District Bhiwani. The distance between Sonapat and Bhiwani is about 105 Kms. She has no sufficient regular source of income. He further submits that there is no direct bus service from Village Siwada to Sonapat and it is difficult for her to go to Sonapat on each date of hearing.

4. On the last date of hearing, there was representation on behalf of the respondent-husband, but today he has chosen not to appear and in the premise, this Court is of the view that respondent-husband is deemed to have consented the present transfer application by not contesting the same.

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 contentions in the application and the conceded position that two FIRs under Sections 498-A/323/34/506 of IPC against the respondent are pending for investigation and petition under Section 125 Cr.P.C. and one application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 are also pending at District 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 Learned Additional Principal Judge, Family Court, Sonapat is ordered to be

withdrawn from that Court and is transferred to the District Judge, Bhiwani for its disposal in accordance with law by the Court concerned.

07.02.2020

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No