

Sr. No.212

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

**TA No. 459 of 2019 (O&M)
Date of Decision: 23.01.2020**

Ritu

... Applicant

Versus

Rajesh Madan

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. R.K.Dadwal, Advocate,
for the applicant.

Mr. Pranav Handa, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act bearing DMC 604/2019 titled as “Rajesh Madan Vs. Ritu” pending in the Court of Principal Judge, Family Court Jalandhar to the Court of competent jurisdiction at Hoshiarpur.

2. Learned counsel for the applicant submits that petitioner is residing at Talwara, Hoshiarpur. The distance between Talwara and Jalandhar is about 120 Kms. She has no source of income and it is difficult for her to go to Jalandhar on each date of hearing.

3. While on the other hand, learned counsel for the respondent objects to the transfer of the case on the ground that distance between Talwara and Jalandhar is about 80 Kms. and, therefore, no inconvenience would be caused to the applicant-

wife.

4. I have heard learned counsel for the parties and have gone through the record of the case.

5. The case pending between the parties is aftermath of matrimonial discord.

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 The petition in question pending before the Court of Principal Judge, Family Court, Jalandhar is ordered to be withdrawn from that Court and is transferred to the District Judge, Hoshiarpur for its disposal in accordance with law by the Court concerned.

23.01.2020

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No