

Sr. No.207

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

**TA No.478 of 2019 (O&M)
Date of Decision: 30.01.2020**

Nachardeep Kaur @ Naturedeep Kaur @ Rachna

... Applicant

Versus

Sarbjit Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Sandeep Arora, Advocate,
for the applicant.

Mr. Ashish Aggarwal, 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 HMA No.777 of 2019 titled as “Sarabjit Singh Vs. Naturedeep Kaur” pending in the Court of Learned Additional District Judge, Amritsar to the Court of competent jurisdiction at Pathankot.

2. Learned counsel for the applicant submits that petitioner is residing at Sujampur in District Pathankot. One minor child born out of wedlock is in custody of the applicant wife. She has no source of income. She is totally dependent upon her parents. The distance between Amritsar and Pathankot is about 100 Kms. and it is difficult for her to go to Amritsar on each date of hearing.

3. I have heard learned counsel for the parties and have

gone through the record of the case.

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

5. 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.

6. In the premise, present application is allowed. The petition in question pending before the Court of Additional District Judge, Amritsar is ordered to be withdrawn from that Court and is transferred to the District Judge, Pathankot for its disposal in accordance with law by the Court concerned.

30.01.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No