

Sr. No.213

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

**TA No.487 of 2019 (O&M)
Date of Decision: 13.01.2020**

Anju Rani

... Applicant

Versus

Ravi Kumar

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Deepak K. Bartia, Advocate,
for the applicant.

Mr. Vishal Goel, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act bearing No.DMC/916/2018 titled as “Ravi Kumar Vs. Anju Devi” pending in the Court of Principal Judge, Family Court, Patiala to the Court of competent jurisdiction at Kurukshetra.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C. filed by the applicant-wife is also pending at Kurukshetra.

3. Learned counsel for the applicant further submits that petitioner is residing at Kurukshetra. The distance between Patiala and Kurukshetra is about 85 Kms. She has one minor daughter. She has no source of income and it is difficult for her to go to Patiala on each date of hearing. On the other hand, respondent is

well earning man and he can attend the Court proceedings at Kurukshetra.

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

5. 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 petition under Section 125 Cr.P.C. is already pending at Kurukshetra, it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

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 The petition in question pending before the Court of Principal Judge, Family Court, Patiala is ordered to be withdrawn from that Court and is transferred to the District Judge, Kurukshetra for its disposal in accordance with law by the Court concerned.

13.01.2020

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No