

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

**T.A NO. 480 OF 2019
DATE OF DECISION : 12.02.2020**

Anju

...Applicant

versus

Kuldeep

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Shivansh Malik, Advocate,
for the applicant.

Mr. Aditya, Advocate for
Mr. Harish Bhardwaj, Advocate,
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 9 of the Hindu Marriage Act, 1955, bearing No. DMC/1248/2018 titled as "Kuldeep v. Anju" pending in the Court of Principal Judge, Family Court, Sonipat to any other Court of competent jurisdiction at Rohtak.

2. Learned counsel for the applicant submits that one petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005, instituted at the instance of applicant-wife, is pending in the Court at Rohtak.

3. Learned counsel for the applicant also submits that applicant is living with her father and is totally dependent upon him. Two minor children born out of the wedlock are in the custody of applicant. She has no source of income, whereas respondent is working at Rohtak and is drawing salary of ₹20,000/- per month. He is

also getting income from his agricultural land. It is very difficult for her to travel 48 kms from Rohtak to Sonipat on each and every date of hearing.

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

5. 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 one petition under Section 12 of Protection of Women from Domestic Violence Act, 2005, is already pending before the Court at Rohtak, it would be proper, appropriate and in the interest of justice if both the cases are tried and decided at one place.

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 The petition in question pending before the Court of Principal Judge, Family Court, Sonipat, is ordered to be withdrawn from that Court and is transferred to District Judge, Rohtak for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 12, 2020
shalini

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