

Sr. No.214

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

**TA No.523 of 2019 (O&M)
Date of Decision: 13.01.2020**

Ramandeep Kaur

... Applicant

Versus

Amandeep Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. P.K.S.Phoolka, Advocate,
for the applicant.

Mr. Munish Garg, Advocate,
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 No.HMA/116/2019 titled as "Amandeep Singh Vs. Ramandeep Kaur" pending in the Court of learned District Judge, Barnala to the Court of competent jurisdiction at Bathinda.

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 Bathinda.

3. Learned counsel for the applicant further submits that petitioner is residing at Rampura Phul District Bathinda. The distance between Barnala and Bathinda is about 60 Kms. She has one minor son. She has no source of income and it is difficult for her to go to Barnala on each date of hearing. On the other hand,

respondent is well earning man and he can attend the Court proceedings at Bathinda.

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 The petition in question pending before the Court of Learned District Judge, Barnala is ordered to be withdrawn from that Court and is transferred to the District Judge, Bathinda for its disposal in accordance with law by the Court concerned.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