

Sr. No.214

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

TA-510-2019

Date of Decision: 04.02.2020

BHARTI

... Applicant

Versus

DHANNA RAM

...Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.C.R.Olla, Advocate
for the applicant.

Mr.F.S.Virk, Advocate
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of divorce petition under Section 9 of the Hindu Marriage Act, 1955 filed by the respondent-husband bearing HMA No.714 of 2019 titled as "Dhanna Ram v/s Bharti" pending in the Court of Principal Judge, Family Court, Sirsa to the Court of competent jurisdiction at Hisar.

2. Learned counsel for the applicant-wife submits that three more cases are pending between the parties in court at Hisar.

3. Learned counsel for the applicant further submits that petitioner is residing at Hisar with her parents. She has no source of income. She has one minor child to take constant care of and it is very difficult for her to attend hearing at Sirsa on each date of hearing which is approximately 100 kms from Hisar. 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.

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 13 of the Hindu Marriage Act, petition under Section 127 of the Cr.P.C. and appeal against conviction of the respondent-husband are already pending at Hisar, it would be proper, appropriate and in the interest of justice, if all 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 The petition in question pending before the Court of Principal Judge (Family Courts, Sirsa is ordered to be withdrawn from that Court and is transferred to the District Judge, Hisar for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

04.02.2020

Sonu

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No