

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

TA-508-2019

Date of Decision: 04.02.2020

JASPREET KAUR

... Applicant

Versus

HARDEEP SINGH

...Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Achin Gupta, Advocate
for the applicant.

Mr.KBS Mann, Advocate
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of divorce petition under Section 13 of the Hindu Marriage Act, 1955 filed by the respondent-husband titled as “Hardeep Singh v/s Jaspreet Kaur” pending in the Court of Principal Judge, Moga to the Court of competent jurisdiction at Faridkot.

2. Learned counsel for the applicant-wife submits that petition under Section 125 Cr.P.C. is pending between the parties in court at Faridkot.

3. Learned counsel for the applicant further submits that petitioner is residing at Faridkot with her parents. She has two minor children both are residing with her. She has no source of income and it is very difficult for her to attend hearing at Moga which is 50 kms from Faridkot. 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. 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 pending at Faridkot, it would be proper, appropriate and in the interest of justice, if both cases are tried and decided at one place.

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 The petition in question which is pending before the Court of Principal Judge, Moga is ordered to be withdrawn from that Court and is transferred to the District Judge, Faridkot for its disposal in accordance with law by the Court concerned.

04.02.2020

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**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No