

Sr. No.208

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

**TA No.506 of 2019 (O&M)
Date of Decision: 17.01.2020**

Sarita

... Applicant

Versus

Neeraj Kumar

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Deepak Choudhary, Advocate,
for the applicant.

None for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 (1) (i) (a) of the Hindu Marriage Act titled as “Neeraj Kumar Vs. Sarita” pending in the Court of Learned District Judge, Jhajjar to the Court of competent jurisdiction at Fatehabad.

2. Learned counsel for the applicant submits that two more petitions filed by the applicant-wife are pending at Fatehabad.

3. Learned counsel for the applicant further submits that petitioner is residing at Fatehabad. She has no source of income and it is difficult for her to go to Jhajjar on each date of hearing. On the other hand, respondent is well earning man and he can attend the Court proceedings at Fatehabad.

4. Despite service, none has put in appearance on behalf of the respondent.

5. I have heard learned counsel for the applicant and have gone through the record of the case.

6. 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 petitions under Section 125 Cr.P.C. And under section 12 of the Protection of Women from Domestic Violence Act, 2005 are already pending in the Court at Fatehabad, it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

7. 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.

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 The petition in question pending before the Court of District Judge, Jhajjar is ordered to be withdrawn from that Court and is transferred to the District Judge, Fatehabad for its disposal in accordance with law by the Court concerned.

17.01.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No