

Sr. No.213

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

**TA No.543 of 2019 (O&M)
Date of Decision: 14.01.2020**

Anamika @ Anamika Monga

...Applicant

Versus

Parveen Kumar

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. B.S.Mamli, Advocate,
for the applicant.

Mr. Nitin Meel, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act bearing petition No. BMC/2019 titled as “Parveen Kumar Vs. Anamika Monga” pending in the Court of Principal District Judge, Family Court, Hisar to the Court of competent jurisdiction at Sirsa.

2. Learned counsel for the applicant submits that one petition under Section 9 of the Hindu Marriage Act is already pending at Sirsa.

3. Learned counsel for the applicant further submits that petitioner is residing at Sirsa. The distance between Hisar and Sirsa is about 100 Kms and it is difficult for her to go to Hisar on each date of hearing.

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 9 of Hindu Marriage Act for restitution of Conjugal rights is already pending in the Court at Sirsa, 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 The petition in question pending before the Court of Principal District Judge, Family Court, Hisar is ordered to be withdrawn from that Court and is transferred to the District Judge, Sirsa for its disposal in accordance with law by the Court concerned.

14.01.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No