

Sr. No.214

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

TA No.569 of 2019

Date of Decision: 16.01.2020

Savitri

... Applicant

Versus

Vinod Kumar

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Manoj Kumar Taya, Advocate,
for the applicant.

Mr.Parminder Singh, 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 HMA No.958 of 2018 titled as “Vinod Kumar Vs. Savitri” pending in the Court of Learned (AD and SJ) Additional Principal Judge, Family Court, Ambala to the Court of competent jurisdiction at Karnal.

2. Learned counsel for the applicant submits that one more petition filed by the applicant-wife and respondent is pending at Karnal.

3. Learned counsel for the applicant further submits that petitioner is residing at Karnal. She has one minor daughter. She

has no source of income and it is difficult for her to go to Ambala on each date of hearing. On the other hand, respondent is serving as a Pre Service Teacher in Railway Higher Secondary (Hindi Medium) School, Bilaspur, Chattisgarh and, therefore, it would not matter whether he appears in the Courts at Karnal or Ambala to attend the Court proceedings.

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 in the Court at Karnal and that the respondent is serving as a Pre Service Teacher (Art) in Railway Higher Secondary (Hindi Medium) School, Bilaspur, Chattisgarh and, therefore, it would not matter whether he appears in the Court at Karnal or Ambala to attend the Court proceedings, 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 (AD and SJ) Additional Principal Judge, Family Court, Ambala is ordered to

be withdrawn from that Court and is transferred to the District Judge, Karnal for its disposal in accordance with law by the Court concerned.

16.01.2020
Satyawar

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No