

Sr. No.211

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

**TA No.618 of 2019 (O&M)
Date of Decision: 11.02.2020**

Anjali

... Applicant

Versus

Dinesh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. D.C.Dhoola, Advocate,
for the applicant.

Mr. Praveen Gupta, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 (1) (a) of the Hindu Marriage Act, 1955 titled as “Dinesh Vs. Anjali” pending in the Court of Learned District Judge, Jhajjar (Haryana) to the Court of competent jurisdiction at Rohtak.

2. Learned counsel for the applicant submits that applicant has filed complaint to the Police with regard to atrocities committed on her by the respondent at Police Station Jhajjar.

3. Learned counsel for the applicant further submits that petitioner is residing with her parents. She has no source of income. She is fully dependent on her parents. The distance between Jhajjar and Rohtak is about 70 Kms. Therefore, it is difficult for her to go to Jhajjar on each date of hearing. On the

other hand, respondent is working as ACIO-1, New Delhi.

4. I have heard learned counsel for the parties and have gone through the record of the case.

5. The case pending between the parties is aftermath of matrimonial discord.

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 The petition in question pending before the Court of Learned District Judge, Jhajjar (Haryana) is ordered to be withdrawn from that Court and is transferred to the District Judge, Rohtak for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

11.02.2020
vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No