

Sr. No.214

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

**TA No.586 of 2019 (O&M)
Date of Decision: 07.02.2020**

Anu

... Applicant

Versus

Deepak Kajal

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Ms. Sharmila Sharma, 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 of the Hindu Marriage Act, bearing HMA/478/2019 titled as “Deepak Kajal Vs. Anu” pending in the Court of Learned Principal Judge, (Family Court) Karnal to the Court of competent jurisdiction at Sonapat.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C. filed by the applicant wife is pending at Sonapat.

3. Learned counsel for the applicant further submits that the applicant-wife is residing with her parents at Sonapat. She has no source of income and is dependant on her parents. One minor child born out of the wedlock is in the custody of applicant-wife and is school going. The distance between Karnal and Sonapat is about 90 Kms. and it is difficult for her to go to Karnal on each date

of hearing.

4. Despite service, none has put in appearance on behalf of the respondent-husband and in the premise, this Court is of the view that respondent-husband is deemed to have consented the present transfer application by not contesting the same.

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

6. Both 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 Sonapat it would be proper, appropriate and in the interest of justice if both the cases are tried and decided at one place.

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 The petition in question pending before the Court of Learned Principal Judge, Family Court, Karnal is ordered to be withdrawn from that Court and is transferred to the District Judge, Sonapat for its disposal in accordance with law by the Court concerned.

07.02.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No