

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

**T.A NO. 634 OF 2019
DATE OF DECISION : 10.02.2020**

Aarti

...Applicant

versus

Balraj

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Gaurav Khera, Advocate,
for the applicant.

None for the respondent.

ARUN MONGA, J. (ORAL)

The present petition has been filed by the applicant-wife seeking transfer of a petition filed by her husband under Section 9 of the Hindu Marriage Act, 1955, titled as "Balraj v. Aarti" from the Court of Additional Civil Judge (Senior Division), Tehsil Tohana, District Fatehabad to any other Court of competent jurisdiction at Rohtak.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C, is pending in the Court at Rohtak.

3. Learned counsel for the applicant further submits that applicant is residing with her parents. She is a poor lady and has no source of income. It is very difficult for her to travel 130 kms from Fatehabad to Rohtak on each and every date of hearing.

4. Despite service, no one has put in appearance on behalf of the respondent. Hence, 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 records of the case.

6. Both the cases pending between the parties are aftermath of matrimonial discord. Keeping in view the averments contained in the application and the conceded position that one petition under Section 125 Cr.P.C., instituted at the instance of applicant-wife, is already pending in the Court at Rohtak, 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petition in question pending before the Court of Additional Civil Judge (Senior Division), Fatehabad is ordered to be withdrawn from that Court and is transferred to District Judge, Rohtak for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 10, 2020
shalini

1.	Whether speaking/reasoned :	Yes/No
2.	Whether reportable :	Yes/No