

**Sr. No.209
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**TA No.601 of 2019 (O&M)
Date of Decision: 11.02.2020**

Bharti

... Applicant

Versus

Monu Kumar Yadav

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Parshant Sethi, Advocate,
for the applicant.

Mr. Lalit Yadav, 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, 1955 titled as “Monu Kumar Yadav Vs. Smt. Bharti” pending in the Court of Learned District Judge, Jhajjar to the Court of competent jurisdiction at Charkhi Dadri.

2. Learned counsel for the applicant submits that complaint under Section 12 of Protection of Women from Domestic Violence Act, 2005 filed by the applicant-wife is already pending at Charkhi Dadri.

3. Learned counsel for the applicant further submits that petitioner is residing at Charkhi Dadri. The distance between Jhajjar and Charkhi Dadri is about 45 Kms. Being a lady, it is difficult for her to go to Jhajjar on each date of hearing.

4. Learned counsel for the respondent opposes the

transfer application by saying that respondent is doing job in ITBP. He is facing problems to take leave to attend the Court hearings. He further submits that distance is less than 50 Kms. only.

5. I have heard learned counsel for the parties 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 complaint under Section 12 of Protection of Women from Domestic Violence Act, 2005 is already pending in the Court at Charkhi Dadri, it would be proper, appropriate and in the interest of justice if both the cases are tried and decided at one place.

8. In the premise, present application is allowed. The petition in question pending before the Court of learned District Judge, Jhajjar is ordered to be withdrawn from that Court and is transferred to the District Judge, Bhiwani for its disposal in accordance with law by the Court concerned at Charkhi Dadri.

11.02.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No