

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

**T.A NO. 628 OF 2019 (O&M)
DATE OF DECISION : 27.01.2020**

Komal

...Applicant

versus

Dr. Sanjeev Kumar

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. K. S. Thakur, Advocate,
for the applicant.

None for the respondent.

ARUN MONGA, J. (ORAL)

This petition has been filed by wife seeking transfer of a petition filed by her husband under Section 9 of the Hindu Marriage Act, 1955, titled as "Dr. Sanjeev Kumar v. Komal" from the Court of Additional District and Sessions Judge, Jalandhar to any other Court of competent jurisdiction at Gurdaspur.

2. Learned counsel for the applicant submits that applicant is residing with her parents at Gurdaspur. She has no source of income and is totally dependent upon her parents. She has one minor child to look after. It is very difficult for her to travel from Gurdaspur to Jalandhar on each and every date of hearing.

3. Learned counsel for the applicant further submits that petitioner filed a complaint before Senior Superintendent of Police, Gurdaspur, which is also pending adjudication.

4. Despite service no one has put in appearance on behalf of the respondent.

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

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 The petition in question pending before the Court of Additional District & Sessions Judge, Jalandhar is ordered to be withdrawn from that Court and is transferred to District Judge, Gurdaspur, for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

JANUARY 27, 2020

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