

Sr. No.214

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

**TA No.645 of 2019 (O&M)
Date of Decision: 14.01.2020**

Sukhwinder Kaur

... Applicant

Versus

Mandeep Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Vijay Lath, Advocate,
for the applicant.

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 No.143 of 2019 titled as “Mandeep Singh Vs. Sukhwinder Kaur” pending in the Court of Learned District Judge, Tarn Taran to the Court of competent jurisdiction at Rupnagar.

2. Learned counsel for the applicant submits that two more petitions filed by the applicant-wife and respondent are pending at Rupnagar.

3. Learned counsel for the applicant further submits that petitioner is residing at Rupnagar. She has one minor son. The distance between Tarn Taran and Rupnagar is about 200 Kms. and it is difficult for her to go to Tarn Taran on each date of hearing. On the other hand, respondent is a Government employee and he can attend the Court proceedings at Rupnagar.

4. None has put in appearance on behalf of the

respondent despite service.

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

6. All 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. and under Section 9 of Hindu Marriage Act are already pending in the Court at Rupnagar it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

7. 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.

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 The petition in question pending before the Court of Learned District Judge, Tarn Taran is ordered to be withdrawn from that Court and is transferred to the District Judge, Rupnagar for its disposal in accordance with law by the Court concerned.

14.01.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No