

**Sr. No.214
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**TA No.659 of 2019 (O&M)
Date of Decision: 11.02.2020**

Pooja

... Applicant

Versus

Shakti

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. S.S.Kaushik, 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 9 of Hindu Marriage Act, 1955 bearing DMC No. 737 of 2018 titled as “Shakti Vs. Pooja” pending in the Court of Additional Principal Judge, Family Court, Hisar to the Court of competent jurisdiction at Jind.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C. seeking maintenance and complaint under Section 12 of Protection of Women from Domestic Violence Act, 2005 filed by the applicant-wife are already pending at Jind.

3. Learned counsel for the applicant submits that applicant-petitioner is residing at Jind. The distance between Jind and Hisar is about 100 Kms. She has no source of income.

Therefore, it is very difficult for her to go to Hisar on each date of hearing.

4. On the last date of hearing Mr. Kuldeep Sheoran, Advocate appeared on behalf of the respondent-husband. But today none appears 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. 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. seeking maintenance and complaint under Section 12 of Protection of Women from Domestic Violence Act, 2005 filed by the applicant-wife are already pending at Jind and, therefore, it would be proper and appropriate and in the interest of justice, if all 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in question pending before the Court of learned Additional Principal Judge, Family Court, Hisar is ordered to be withdrawn from that Court and is transferred to the District Judge, Jind for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

11.02.2020

vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No