

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

**T.A NO. 661 OF 2019
DATE OF DECISION : 12.02.2020**

Kuldeep Kaur

...Applicant

versus

Sukhdev Singh

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ajay Kumar Kansal, Advocate,
for the applicant.

None for the respondent.

ARUN MONGA, J. (ORAL)

This 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, bearing No. HMA No.52 of 2019 titled as "Sukhdev Singh v. Kuldeep kaur" pending in the Court of Additional Civil Judge (Senior Division), Fatehabad to any other Court of competent jurisdiction at Jind.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C, instituted at the instance of applicant-wife, is pending in the Court at Jind. Criminal proceedings under Sections 307/323/406/498-A/506/34 IPC is also pending adjudication at Jind.

3. Learned counsel for the applicant also submits that applicant is living with her parents at Jind. One male child born out of the wedlock is in the custody of applicant. She has no source of income. It is very difficult for her to travel 98 kms from Jind to Fatehabad on each and every date of hearing.

4. Despite service, no one appeared on behalf 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. All the cases pending between the parties is 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 and criminal proceedings under Sections 307/323/406/498-A/506/34 IPC are already pending adjudication at Jind, it would be proper, 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petition in question pending before the Court of Additional Civil Judge (Senior Division), Fatehabad, is ordered to be withdrawn from that Court and is transferred to District Judge, Jind for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 12, 2020
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1.	Whether speaking/reasoned :	Yes/No
2.	Whether reportable :	Yes/No