

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

T.A NO. 676 OF 2019

DATE OF DECISION : 10.02.2020

Mangla @ Mangla Sharma

...Applicant

versus

Vivak @ Vivek Sharma

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vishal, Advocate for
Mr. Gitish Bhardwaj, Advocate,
for the applicant.

Mr. Rajesh Bhateja, Advocate,
for the respondent.

ARUN MONGA, J. (ORAL)

The present petition has been filed by the applicant-wife seeking transfer of a petition filed by her husband under Section 13 of the Hindu Marriage Act, 1955, bearing HMA No.407 of 2018 titled as "Vivek @ Vivek Sharma v. Mangla" from the Court of Principal Judge, Family Court, Ludhiana to any other Court of competent jurisdiction at Fatehgarh Sahib.

2. Learned counsel for the applicant submits that criminal proceedings under Section 406/498-A IPC registered against the respondent along with two more petitions are already pending adjudication in the Courts at Fatehgarh Sahib.

3. Learned counsel for the applicant further submits that applicant is residing with her parents. One male child born out of the wedlock is in the custody of applicant. She is a poor lady and has no source of income. She does not own any movable or immovable

property. It is very difficult for her to travel from Fatehgarh Sahib to Ludhiana on each and every date of hearing.

4. I have heard learned counsel for the parties and have gone through records of the case.

6. All the cases pending between the parties are aftermath of matrimonial discord. Keeping in view the averments contained in the application and the conceded position that criminal proceedings under Sections 406/498-A IPC as well as petition under Section 125 Cr.P.C and Section 9 of the Hindu Marriage Act, 1955, instituted at the instance of applicant-wife, are already pending in the Courts at Fatehgarh Sahib, 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 The petition in question pending before the Court of Principal Judge, Family Court, Ludhiana is ordered to be withdrawn from that Court and is transferred to District Judge, Fatehgarh Sahib for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 10, 2020
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1.	Whether speaking/reasoned :	Yes/No
2.	Whether reportable :	Yes/No