

Sr. No.216

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

**TA No.683 of 2019 (O&M)
Date of Decision: 11.02.2020**

Shobha

... Applicant

Versus

Dhani Ram

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Ankur Sidhar, Advocate,
for the applicant.

Mr. Naveen Singh, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of Hindu Marriage Act, 1955 bearing DMC 529/2019 titled as “Dhani Ram Vs. Shobha” pending in the Court of Learned Additional Principal Judge, (Family Court) Rohtak to the Court of competent jurisdiction at Hisar.

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

3. Learned counsel for the applicant further submits that petitioner is residing at Village Landhari, District Hisar. She has no source of income. The distance between Rohtak and Hisar is

about 100 Kms. Therefore, it is difficult for her to go to Rohtak on each date of hearing. On the other hand, respondent is well earning man and can attend the Court hearings at Hisar.

4. Learned counsel for the respondent-husband opposes the application. During the course of arguments, on a suggestion being made that in case respondent-husband pays Rs.3000/- towards travelling expenses to the applicant-wife then case can be allowed to continue at Family Court, Rohtak, learned counsel for the respondent-husband submits that respondent cannot pay travelling expenses.

5. I have heard learned counsel for the parties 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. for grant of maintenance and one complaint under Section 12 of Protection of Women under Domestic Violence Act, 2005 are already pending at Hisar, 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in question pending before the Court of learned Additional Principal Judge, Family Court, Rohtak is ordered to be withdrawn from that Court and is transferred to the District Judge, Hisar for its disposal in accordance with law by the Court concerned.

Pending application, if any, shall stand disposed of.

11.02.2020

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No