

**Sr. No.218
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**TA No.691 of 2019 (O&M)
Date of Decision: 11.02.2020**

Harpal Kaur

... Applicant

Versus

Narinder Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Achin Gupta, Advocate,
for the applicant.

Mr. P.P.S. Brar, 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 titled as “Narinder Singh Vs. Harpal Kaur” pending in the Court of Learned Principal Judge, Family Court, Faridkot to the Court of competent jurisdiction at Bathinda.

2. Learned counsel for the applicant submits that earlier respondent filed petition under Section 13 of Hindu Marriage Act, 1955. The same was transferred from Faridkot to Bathinda vide order dated 29.03.2017 passed by this Court in TA No.839 of 2016. He further submits that afterwards, the divorce petition was pursued by the parties at Bathinda but on 20.05.2019, respondent withdrew that petition.

3. Learned counsel for the applicant submits that four cases i.e. appeal arising out of order passed under Protection of Women from Domestic Violence Act, two execution applications and application for permanent alimony/maintenance allowance are already pending at Bathinda.

3. Learned counsel for the applicant further submits that petitioner is residing at Bathinda and 66 years old. The distance between Faridkot and Bathinda is about 70 Kms. Therefore, it is difficult for her to go to Faridkot on each date of hearing.

4. Learned counsel for the respondent opposes the transfer application on the ground that respondent is also 70 years old. He further submits that applicant suffered a statement before the Lower Court that she resided separately in Street No.1, Guru Nanak Nagar, Jaitu, Tehsil, District Faridkot.

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 appeal arising out of order passed under Protection of Women from Domestic Violence Act, two execution applications and application for permanent alimony/maintenance allowance are already pending at Bathinda 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 Principal

Judge, Family Court, Faridkot is ordered to be withdrawn from that Court and is transferred to the District Judge, Bathinda for its disposal in accordance with law by the Court concerned.

11.02.2020
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No