

Sr. No.220

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

**TA No.689 of 2019 (O&M)
Date of Decision: 10.02.2020**

Neeraj

... Applicant

Versus

Charanjit Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Paras Jagga, 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 the Hindu Marriage Act, 1955 titled as “Charanjit Singh Vs. Neeraj” pending in the Court of Learned Principal Judge, (Family Court) Amritsar to the Court of competent jurisdiction at Patiala.

2. Learned counsel for the applicant submits that the applicant-wife is residing with her old age parents at Patiala. She has no source of income and is dependant on them. The distance between Patiala and Amritsar is about 235 Kms. and it is difficult for her to go to Amritsar on each date of hearing. On the other hand, respondent is well earning man and can attend the Court proceedings at Patiala.

3. Despite service, none has put in appearance on behalf of the respondent-husband 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.

4. I have heard learned counsel for the applicant and have gone through the record of the case.

5. The case pending between the parties is aftermath of matrimonial discord.

6. Learned counsel for the applicant also relies upon judgment of Hon'ble Apex Court in case titled ***Sumita Singh Vs. Kumar Sanjay and another, AIR 2002 SC 396***, wherein it is held that transfer of matrimonial proceedings initiated by the husband against wife, convenience of the wife ought to be looked into.

7. In the premise, present application is allowed. The petition in question pending before the Court of Learned Principal Judge, Family Court, Amritsar is ordered to be withdrawn from that Court and is transferred to the District Judge, Patiala for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

10.02.2020
vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No