

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

T.A NO. 702 OF 2019

DATE OF DECISION : 12.02.2020

Pooja

...Applicant

versus

Ketan

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vishal Munjal, 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 10 of the Hindu Marriage Act, 1955, for grant of judicial separation bearing HMA No.484 of 2019 titled as "Ketan v. Pooja" pending in the Court of Additional Principal Judge, Family Court, Ludhiana to any other Court of competent jurisdiction at Pathankot.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C is pending before the Court at Pathankot.

3. Learned counsel for the applicant also submits that applicant is residing at Pathankot with her widow mother and one brother. She is only a matriculate. She has no source of income. It is very difficult for her to travel 172 kms from Pathankot to Ludhiana on each and every date of hearing.

4. Despite service, no one has appeared on behalf of 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. 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 one petition under Section 125 Cr.P.C is already pending adjudication at Pathankot, it would be proper, appropriate and in the interest of justice if both 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petition in question pending before the Court of Additional Principal Judge, Family Court, Ludhiana is ordered to be withdrawn from that Court and is transferred to District Judge, Pathankot for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 12, 2020
shalini

- | | | |
|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |