

Sr. No.218

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

TA No.708 of 2019

Date of Decision: 03.02.2020

SONAM

..Applicant

Versus

HITESH KUMAR

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Chirag Wadhwa, Advocate,
for the applicant.

Mr. Hitesh Kumar, respondent (in person)

ARUN MONGA, J.(ORAL)

1. This transfer application has been filed by the applicant-wife seeking transfer of petition filed under Section 9 of Hindu Marriage Act titled as ***Hitesh Kumar Vs. Sonam*** filed by the respondent-husband from the Court of Principal District Judge, Family Court, Hisar, to the competent Court of jurisdiction at Karnal.

2. Learned counsel for the applicant-wife submits that there is no other case pending between the parties. He further submits that the applicant-wife is now residing with her old aged parents and has no male member to accompany her. She is working as Manager in the State Bank of India and address in the Memo of Parties has been mentioned as "H.No.1055, Sector-7, Karnal". It is very difficult for her to travel from Karnal to Hissar to attend the hearing on each and every date and distance between

Karnal to Hissar is 160 kms.

3. On the other hand, respondent-husband, who has come present in persons, states that the applicant-wife is presently residing at Hong Kong, as she has been deputed there by her employer i.e. State Bank of India duly admitted by learned counsel for the applicant.

4. I have heard learned counsel for the applicant as well as respondent in person and have also gone through the record of the case.

5. Concededly, the applicant is residing in Hong Kong, as she has been posted by her employer i.e. State Bank of India. In view thereof, it is irrelevant whether she has to attend court proceedings at Hisar or Karnal. No doubt in deciding petition for transfer of matrimonial proceedings, convenience of wife is prime consideration, but at the same time, court is required to see the inconvenience of defendant-respondent. In the present case, applicant is residing at Hissar. So, no ground is made out to transfer of the petition.

6. Accordingly, the application stands dismissed.

03.02.2020

sonu

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No