

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

**T.A NO. 710 OF 2019  
DATE OF DECISION : 13.02.2020**

**Hardeep Kaur**

**...Applicant**

**versus**

**Rajvir Singh**

**...Respondent**

**CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. Joginder Pal Devgan, Advocate,  
for the applicant.

Mr. Vijay Lath, Advocate,  
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 13 of the Hindu Marriage Act, 1955, (hereinafter referred to as "HMA") bearing HMA No. 68/2019 titled as "Rajvir Singh v. Hardeep Kaur" pending in the Court of District Judge, Rupnagar to any other Court of competent jurisdiction at Chandigarh.

2. Learned counsel for the applicant submits that applicant is presently posted as Constable in the office of Director General of Police, Punjab, Police Headquarter, Sector-9, Chandigarh. One male child born out of the wedlock is in her custody and he needs constant care and attention and cannot be left alone. It is very difficult for her to travel from Chandigarh to Rupnagar on each and every date of hearing.

3. Learned counsel for the applicant also relies upon the 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 wife is ought to be looked into.

4. I have heard learned counsel for the parties and have gone through the records of the case.

5. The case pending between the parties is aftermath of matrimonial discord. In the premise, present application is allowed. The petition in question pending before the Court of District Judge, Rupnagar, is ordered to be withdrawn from that Court and is transferred to District Judge, Chandigarh, for its disposal in accordance with law by the Court concerned.

**(ARUN MONGA)  
JUDGE**

**FEBRUARY 13, 2020**  
shalini

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