

Sr. No.206

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

**TA No.719 of 2019 (O&M)
Date of Decision: 21.01.2020**

Avtinder Kaur

... Applicant

Versus

Vikramdeep Sharma

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. M.S.Chauhan, Advocate,
for the applicant.

Ms. Sakshi Saini, Advocate for
Mr. H.P.S.Ishar, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act bearing HMA No.366 of 2019 titled as “Vikramdeep Vs. Avtinder Kaur” pending in the Court of Additional District and Sessions Judge, Mohali to the Court of competent jurisdiction at Patiala.

2. Learned counsel for the applicant submits that two more petitions one under Section 125 Cr.P.C. and the other under Section 12 (1) of protection of women from Domestic Violence Act, 2005 filed by the applicant-wife are pending at Patiala.

3. Learned counsel for the applicant further submits that petitioner is residing at Patiala. One minor child born out of wedlock is in custody of the applicant wife. The distance between Mohali and Patiala is about 75 Kms. and it is difficult for her to go to

Mohali on each date of hearing.

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

5. 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 petitions under Section 125 Cr.P.C. and under Section 12 (1) of protection of women from Domestic Violence Act, 2005 are already pending in the Court at Patiala, it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

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 The petition in question pending before the Court of Additional District and Sessions Judge, Mohali is ordered to be withdrawn from that Court and is transferred to the District Judge, Patiala for its disposal in accordance with law by the Court concerned.

21.01.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No