

Sr. No.205

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

**TA No.718 of 2019 (O&M)
Date of Decision: 21.01.2020**

Manjeet Kaur

... Applicant

Versus

Paramjit Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. S.K.Sharma, Advocate,
for the applicant.

Mr. K.S.Derabassi, 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.121 of 2018 titled as "Paramjit Singh Vs. Manjeet Kaur" pending in the Court of Additional District Judge SAS Nagar, Mohali to the Court of competent jurisdiction at Karnal.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C. filed by the applicant-wife was allowed by the learned Family Court, Karnal vide order dated 17.02.2018 and granted the maintenance of Rs.6000/- per month to the applicant/petitioner. The respondent from last 1 ½ years has not paid any single penny to the applicant.

3. Learned counsel for the applicant submits that petitioner is residing at Karnal. One minor child born out of

wedlock is in custody of the applicant-wife. She has no source of income. The distance between SAS Nagar Mohali and Karnal is about 150 Kms. and it is difficult for her to go to Mohali on each date of hearing. On the other hand, respondent is well earning man and he can attend the Court proceedings at Karnal.

4. I have heard learned counsel for the parties 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 The petition in question pending before the Court of Additional District Judge, SAS Nagar, Mohali is ordered to be withdrawn from that Court and is transferred to the District Judge, Karnal for its disposal in accordance with law by the Court concerned.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