

Sr. No.217

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

TA-777-2019

Date of Decision: 04.02.2020

PREETI TANWAR

... Applicant

Versus

VISHAL CHALIA

...Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.N.K.Malhotra, Advocate
for the applicant.

Mr.Ramesh Goyat, Advocate
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of divorce petition under Section 13 of the Hindu Marriage Act, 1955 filed by the respondent-husband bearing DMC No.890 of 2019 titled as “Vishal Chaliya v/s Preeti Tanwar” pending in the Court of Additional Principal Judge, Family Court, Sonapat to the Court of competent jurisdiction at Rohtak.

2. Learned counsel for the applicant-wife submits that two more cases between the parties are pending in court at Rohtak.

3. Learned counsel for the applicant further submits that petitioner is residing at Rohtak with her parents. She has no source of income and it is very difficult for her to attend hearing at Sonapat which is 70 kms from Rohtak. 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.

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 petition under Sections 125 Cr.P.C. and criminal case under Sections 406, 498-A IPC are already pending at Rohtak, it would be proper, appropriate and in the interest of justice, if all cases are tried and decided at one place.

6. In the premise, present application is allowed. The petition in question pending before the Court of Additional Principal Judge, Family Court, Sonapat is ordered to be withdrawn from that Court and is transferred to the District Judge, Rohtak for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

04.02.2020

Sonu

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No