

**Sr. No.224
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**TA No.781 of 2019 (O&M)
Date of Decision: 11.02.2020**

Harmeet Kaur

... Applicant

Versus

Parminder Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Madhur Singh, Advocate,
for the applicant.

None 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, 1955 bearing HMA/1022/2018 titled as “Parminder Singh Vs. Harmeet Kaur” pending in the Court of Learned Additional District Judge, Family Court, Ambala to the Court of competent jurisdiction at District Patiala.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C. for grant of maintenance filed by the applicant-wife is already pending at Rajpura, District Patiala.

3. Learned counsel for the applicant further submits that petitioner is residing at Village Islampur, Tehsil Rajpura, District Patiala. It is the second marriage of both the parties. The distance between Ambala and Patiala is about 40 kms. Applicant-petitioner is a regular student of Nursing at Sant Inder Dass Nursing

Institute,Village Kheri Manian, Patiala. Therefore, it is very difficult for her to go to Ambala on each date of hearing. On the other hand, respondent is serving in commercial sector. He can attend the Court proceedings at Rajpura, District Patiala.

4. Despite service, none has put in appearance on behalf of the respondent-husband and in the premise, this Court is of the view that respondent-husband is deemed to have consented the present transfer application by not contesting the same.

5. I have heard learned counsel for the applicant and have gone through the record of the case.

6. Both 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 Section 125 Cr.P.C. for grant of maintenance is already pending in the Court at Rajpura, it would be proper, appropriate and in the interest of justice if both the cases are tried and decided at one place.

7. In the premise, present application is allowed. The petition in question pending before the Court of learned Additional District Judge, (Family Court), Ambala is ordered to be withdrawn from that Court and is transferred to the District Judge, Patiala for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

11.02.2020

vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No