

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

**T.A NO. 787 OF 2019
DATE OF DECISION : 06.02.2020**

Pallavi Mannan

...Applicant

versus

Rohit Mannan

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. N. S. Mahal, Advocate,
for the applicant.

None 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 9 of the Hindu Marriage Act, 1955, titled as "Rohit Mannan v. Pallavi Mannan" from the Court of Principal Judge, Family Court, Garhshankar to any other Court of competent jurisdiction at Jalandhar.

2. Learned counsel for the applicant submits that applicant filed one civil suit for permanent injunction restraining the respondent and his family members from interfering into the custody of minor child. She also filed one petition under Section 125 Cr.P.C. Both the cases are pending adjudication in the Courts at Jalandhar.

3. Learned counsel for the applicant further submits that applicant is residing with her parents. Her father is paralyzed. One minor daughter born out of the wedlock is in her custody. She has no source of income. It is very difficult for her to travel 70 kms from Jalandhar to Garhshankar on each and every date of hearing.

4. Despite service, no one has put in appearance on behalf of the respondent. Hence, 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 records of the case.

6. All the cases pending between the parties are aftermath of matrimonial discord. Keeping in view the averments contained in the application and the conceded position that one petition under Section 125 Cr.P.C and one civil suit instituted at the instance of applicant-wife, is already pending in the Courts at Jalandhar, 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 The petition in question pending before the Court of Principal Judge, Family Court, Garhshankar is ordered to be withdrawn from that Court and is transferred to District Judge, Jalandhar for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 06, 2020
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1.	Whether speaking/reasoned :	Yes/No
2.	Whether reportable :	Yes/No