

Sr. No.231

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

**TA No.866 of 2019 (O&M)
Date of Decision: 11.02.2020**

Krishna

... Applicant

Versus

Sukhwinder Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Rakesh Gupta, 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/386/2019 titled as "Sukhwinder Singh Vs. Krishna" pending in the Court of learned Additional District and Sessions Judge, Sangrur to the Court of competent jurisdiction at Patiala.

2. Learned counsel for the applicant submits that the applicant-wife is residing at Patiala. The distance between Sangrur and Patiala is about 70 Kms. She has no source of income. She is wholly dependent on her widow mother. Two minor children are in the custody of applicant-wife, who need constant care and attention of the mother. She cannot leave them behind to attend the Court proceedings. Therefore, it is difficult for her to go to Sangrur

on each date of hearing.

3. On the last date of hearing, learned counsel for the respondent-husband appeared but today 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.

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

5. The case pending between the parties is aftermath of matrimonial discord.

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in question pending before the Court of Learned Additional District and Sessions Judge, Sangrur is ordered to be withdrawn from that Court and is transferred to the District Judge, Patiala for its disposal in accordance with law by the Court concerned.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