

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

**T.A NO. 921 OF 2019 (O&M)
DATE OF DECISION : 07.01.2020**

Pooja

...Applicant

versus

Chanchal Singh

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. R. K. Jaswal, Advocate,
for the applicant.

None for the respondent.

ARUN MONGA, J. (ORAL)

CM NO. 21472-CII OF 2019

Allowed, as prayed for.

MAIN CASE

By way of present petition, applicant has sought transfer of petition under Section 13 of the Hindu Marriage Act titled as "Chanchal v. Pooja Rani" pending before Additional District and Sessions Judge, Kaithal to any Court at Panipat.

2. Learned counsel for the applicant submits that FIR No.1550 dated 05.12.2016 under Sections 323/406/498-A IPC has also been registered at Police Station Panipat City, District Panipat. It is further submitted that one petition under Section 125 Cr.P.C is also pending at the Courts at Panipat.

3. Notice of motion was issued to the respondent for today, but no one appeared on his behalf to assist the Court.

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

4. 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 petition under Section 125 Cr.P.C, instituted at the instance of applicant-wife, is already pending in the Court at Panipat, it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

5. Learned counsel for the applicant also relies upon the 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 in transfer of matrimonial proceedings initiated by the husband against wife, convenience of the wife ought to be looked into.

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 The petition in question pending before the Court of Additional District Judge, Kaithal is ordered to be withdrawn from that Court and is transferred to the District Judge, Panipat for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

JANUARY 07, 2020
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1.	Whether speaking/reasoned :	Yes/No
2.	Whether reportable :	Yes/No