

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

**T.A NO. 953 OF 2019 (O&M)
DATE OF DECISION : 07.01.2020**

Priyanka

...Applicant

versus

Ajay Kumar

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. M. S. Kathuria, Advocate,
for the applicant.

Mr. Parmod Chauhan, Advocate,
for the respondent.

ARUN MONGA, J. (ORAL)

CM NO. 22017-CII OF 2019

Allowed, as prayed for.

MAIN CASE

This petition has been filed by wife seeking transfer of a petition filed by her husband under Section 13 of the Hindu Marriage Act, titled as "Ajay Kumar v. Priyanka" from the Court of Additional Principal Judge, Family Court, Sonapat to any other Court of competent jurisdiction at Jhajjar.

2. Learned counsel for the applicant submits that two more cases, instituted at the instance of applicant are pending in the Courts at Jhajjar.

3. Learned counsel for the applicant further submits that applicant is residing at her parental house at Bahadurgarh, District Jhajjar. She is a poor lady and has no source of income. It is very

difficult for her to travel from Sonapat to Jhajjar on each and every date of hearing.

3. I have heard learned counsel for the parties 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 and criminal proceedings under Section 498-A IPC instituted at the instance of applicant against the respondent, are also pending in the Courts at Jhajjar, 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 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.

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 The petition in question pending before the Court of Principal Judge, Family Court, Sonapat is ordered to be withdrawn from that Court and is transferred to District Judge, Jhajjar for its disposal in accordance with law by the Court concerned.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