

Sr. No.221

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

**TA No.986 of 2019 (O&M)
Date of Decision: 13.01.2020**

Ravneet Kaur

... Applicant

Versus

Amit Kumar @ Gurpreet Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Sachin Ohri, 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 9 of the Hindu Marriage Act bearing HMA No.247 of 2019 titled as “Amit Kumar Vs. Ravneet Kaur” pending before the District Judge, Family Court, Pathankot to the Court of competent jurisdiction at Gurdaspur.

2. Learned counsel for the applicant submits that two more petitions filed by the applicant-wife are pending at Gurdaspur.

3. Learned counsel for the applicant further submits that petitioner is residing at Gurdaspur. She has no source of income and it is difficult for her to go to Pathankot on each date of hearing.

4. Notice was issued to the respondent. Despite service, none has put in appearance on his behalf.

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

6. All 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 9(b) and 37(2)(c) of the protection of Women from Domestic Violence Act and case under Section 306 IPC registered against the respondent are already pending in the Court at Gurdaspur, it would be proper, appropriate and in the interest of justice if all the cases are tried and decided at one place.

7. 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.

8. In the premise, present application is allowed. The petition in question pending before the District Judge, Family Court, Pathankot is ordered to be withdrawn from that Court and is transferred to the District Judge, Gurdaspur for its disposal in accordance with law by the Court concerned.

13.01.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No