

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

Transfer Application No.959 of 2019
Date of decision: 06.01.2020

Gagandeep Kaur

...Applicant

Versus

Harpreet Singh

...Respondent

CORAM: HON'BLE MR.JUSTICE ARUN MONGA

Present: Mr.Mayank Mathur, Advocate
for the applicant.

Mr.Gagandeep Singh Virk, Advocate,
for the respondent.

ARUN MONGA, J. (Oral)

Applicant wife seeks transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act titled as “Harpreet Singh vs. Gagandeep Kaur” from the Court of Principal Judge, Family Court, Ludhiana to any other Court of the competent jurisdiction at Patiala.

2. Learned counsel for the applicant submits that applicant has filed a petition under Domestic Violence Act in Court at Patiala and has also filed a complaint against respondent and his family in Women Cell, Patiala which are still pending adjudication.

3. Learned counsel for the applicant further submits that she is totally dependent on her parents and have no source of income. In that

case, it is impossible for her to bear the expenses of travelling. On the other hand, respondent is a businessman and can attend Court at Patiala without any inconvenience.

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

5. All the cases pending between the parties are outcome of matrimonial discord. Keeping in view the contentions in the application and the conceded position that a petition under Domestic Violence Act and a complaint before the Women Cell, are pending in District Patiala, it would be proper, appropriate and in the interest of justice, if all the cases are tried and decided at one place.

6. 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.

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 The petition in question pending before the Court of Principal Judge, Family Court, Ludhiana is ordered to be withdrawn from that Court and is transferred to the District Judge, Patiala for its disposal in accordance with law by the Court concerned.

06.01.2020

*dharamvir***(ARUN MONGA)**
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No