

Sr. No.223

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

TA-970-2019

Date of Decision: 04.02.2020

HARDEEP KAUR @ BABY

... Applicant

Versus

BALWINDER SINGH

...Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Ms.Amarjit Kaur, Advocate
for the applicant.

Mr.Gulzar Mohammad, Advocate
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition under Section 9 of the Hindu Marriage Act, 1955 filed by the respondent-husband titled as “Balwinder Singh v/s Hardeep Kaur @ Baby” pending in the Court of Principal Judge (Family Court), Ludhiana to the Court of competent jurisdiction at Jagadhari.

2. Learned counsel for the applicant-wife submits that one petition and one FIR filed by wife are pending at Jagadhari.

3. Learned counsel for the applicant further submits that petitioner is residing at Jagadhari with her parents. She has no source of income and support of male member and apprehension of threat to life from the respondent and that it is very difficult for her to attend hearing at Ludhiana which is about 135kms from Jagadhari.

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

5. Pendency of the above cases at Jagadhari is not disputed. 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 125 Cr.P.C. for grant of maintenance and criminal case of F.I.R under Sections 323, 354, 406, 498-A, 506 of IPC are already pending at Jagadhari (Yamunanagar), it would be proper, appropriate and in the interest of justice, if both cases are tried and decided at one place.

6. 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 The petition in question pending before the Court of Principal Judge (Family Court), Ludhiana is ordered to be withdrawn from that Court and is transferred to the District Judge, Yamunanagar at Jagadhari for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

04.02.2020

Sonu

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No