

Sr. No.205

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

**TA No.1054 of 2018 (O&M)
Date of Decision: 10.02.2020**

Prabhjeet Kaur

... Applicant

Versus

Chetan Dhingra and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. J.C.Kapoor, Advocate,
for the applicant.

Mr. A.K.Sharma, Advocate,
for the respondents.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act bearing HMA No.322 of 2018 titled as “Chetan Dhingra Vs. Prabhjeet Kaur” pending in the Court of Learned District Judge, Kapurthala to the Court of competent jurisdiction at Chandigarh.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C. seeking maintenance and one complaint under Section 12 of Protection of Women from Domestic Violence Act filed by the applicant-wife are already pending at Chandigarh.

3. Learned counsel for the applicant further submits that petitioner lives in abroad and she seeks transfer of the case through Special Power of Attorney Holder i.e. her mother. The

petitioner is dependent on her widow mother. She is 56 years old lady. She lives in Raipur Khurd, Near AirPort Lights, UT., Chandigarh. The distance between Kapurthala and Chandigarh is about 177 Kms. and it is very difficult for her to go to Kapurthala on each date of hearing.

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 aftermath of matrimonial discord. Keeping in view the contentions in the application and the conceded position that petitions under Section 125 Cr.P.C. and complaint under Section 12 of Protection of Women from Domestic Violence Act, 2005 are already pending in the Court at Chandigarh, it would be proper, appropriate and in the interest of justice if all the 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 The petition in question pending before the Court of District Judge, Kapurthala is ordered to be withdrawn from that Court and is transferred to the District Judge, Chandigarh for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

10.02.2020

vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No