

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

T.A NO. 975 OF 2019

DATE OF DECISION : 09.01.2020

Paramjit Kaur

...Applicant

versus

Prabhdial Singh

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Davinder Kumar, Advocate,
for the applicant.

None for the respondent.

ARUN MONGA, J. (ORAL)

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 "Prabhdial Singh v. Paramjit Kaur" from the Court of District Judge, Sangrur to any other Court of competent jurisdiction at district Ludhiana.

2. Learned counsel for the applicant submits that one petition filed by the applicant-wife, is pending in the Court at Ludhiana.

3. Learned counsel for the applicant further submits that applicant is residing with her parents at Ludhiana. She has one minor so to look after. She has no source of income. It is very difficult for her to travel 90 kms from Ludhiana to Sangrur on each and every date of hearing.

4. Notice of motion was issued to the respondent but despite service no one has put in appearance on his behalf.

5. 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 12 of Protection of Women from Domestic Violence, instituted at the instance of applicant-wife, is pending in the Court at Ludhiana, 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 The petition in question pending before the Court of District Judge, Sangrur is ordered to be withdrawn from that Court and is transferred to District Judge, Ludhiana, for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

JANUARY 09, 2020

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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |