

Sr. No.204

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

**TA No.602 of 2018 (O&M)
Date of Decision: 09.01.2020**

Neetu

... Applicant

Versus

Manish Kumar

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Amandeep Chhabra, Advocate,
for the applicant.

Mr. Sham Lal Bhalla, 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 bearing HMA No.648 of 2018 titled as “Manish Kumar Vs. Neetu” pending in the Court of Learned Additional District Judge, Ludhiana to the Court of competent jurisdiction at Bathinda.

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

3. Learned counsel for the applicant further submits that petitioner is residing at Bathinda. The distance between Ludhiana and Bathinda is about 142 Kms. She has no source of income and it is difficult for her to go to Ludhiana on each date of hearing. On the other hand, respondent is well earning man and he can attend the Court proceedings at Bathinda.

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 case under Domestic Violence Act are already pending in the Court at Bathinda, 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 The petition in question pending before the Court of Learned District Judge, Ludhiana is ordered to be withdrawn from that Court and is transferred to the District Judge, Bathinda for its disposal in accordance with law by the Court concerned.

09.01.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No