

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

**T.A NO. 659 OF 2018 (O&M)
DATE OF DECISION : 10.01.2020**

Neera Aggarwal

...Applicant

versus

Mohit Aggarwal

...Respondent

AND

T.A NO. 791 OF 2018

Neera Aggarwal

...Applicant

versus

Mohit Aggarwal

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. G. S. Jaswal, Advocate,
for the applicant.

Mr. A. S. Khaira, Advocate,
for the respondent.

ARUN MONGA, J. (ORAL)

Vide this common order, I intend to dispose of two above mentioned transfer petitions filed by the applicant-wife seeking transfer of petition filed by her husband under Section 10 of the Hindu Marriage Act, titled as "Mohit Aggarwal v. Neera" pending in the Court of District Judge, Yamuna Nagar and another petition under Section 25 of the Guardian and Wards Act, 1890 pending in the Court of Civil Judge (Senior Division), Yamuna Nagar, District Yamuna Nagar to any other Court of competent jurisdiction at district Ambala, as the controversy involved in between the same parties.

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

3. Learned counsel for the applicant further submits that applicant is residing with her parents at Ambala. She has one minor child to look after. She has no source of income. It is very difficult for her to travel 55-60 kms from Ambala to Yamuna Nagar on each and every date of hearing.

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

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 FIR No.34 dated 04.05.2018 under Sections 323/337/498-A/406/506 IPC registered at Police Station Women Cell, Amabala, at the instance of applicant-wife, is already pending in the Court at Ambala, 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, both the applications are allowed. Both the petitions i.e under Section 10 of the Hindu Marriage Act pending in the Court of District Judge, Yamuna Nagar and another petition under Section 25 of the Guardian and Wards Act, pending in the Court of Civil Judge (Senior Divsiion), Yamuna Nagar are ordered to be withdrawn from that Courts and are transferred to District Judge,

Ambala, for their disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

JANUARY 10, 2020
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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |