

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

**T.A NO. 815 OF 2018 (O&M)
DATE OF DECISION : 10.01.2020**

Suman

...Applicant

versus

Anil Kumar

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. S. P. Chahar, Advocate,
for the applicant.

Mr. Kanahiya Soni, Advocate,
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 "Anil Kumar v. Suman" from the Court of District Judge, Family Court, Bhiwani to any other Court of competent jurisdiction at district Jhajjar.

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

3. Learned counsel for the applicant further submits that applicant is a household lady and is residing with her parents at Jhajjar. She has one minor son to look after. She has no source of income. It is very difficult for her to travel 55 kms from Jhajjar to Bhiwani 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 one petition under Section 12 of Protection of Women from Domestic Violence Act, instituted at the instance of applicant-wife, is already pending in the Court at Jhajjar, 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 The petition in question pending before the Court of District Judge, Family Court, Bhiwani is ordered to be withdrawn from that Court and is transferred to District Judge, Jhajjar, for its disposal in accordance with law by the Court concerned.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 |