

Sr. No.201

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

TA No.878 of 2018

Date of Decision: 09.01.2020

Nisha

... Applicant

Versus

Anil Verma

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Gaurav Chopra, Advocate,
for the applicant.

Mr. D.S.Gandhi, Advocate,
for the respondent.

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.1021 of 2018 titled as "Anil Verma Vs. Nisha" pending in the Court of Learned Additional District Judge, Amritsar to the Court of competent jurisdiction at Pathankot.

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

3. Learned counsel for the applicant further submits that petitioner is residing at Pathankot. She has one minor daughter. She has no source of income and it is difficult for her to go to Amritsar on each date of hearing. On the other hand, respondent is a businessman and he can attend the Court proceedings at

Pathankot.

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 127 Cr.P.C. and under Section 9 of Hindu Marriage Act for restitution of Conjugal rights are already pending in the Court at Pathankot, 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 The petition in question pending before the Court of Additional District Judge, Amritsar is ordered to be withdrawn from that Court and is transferred to the District Judge, Pathankot for its disposal in accordance with law by the Court concerned.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