

**Sr. No.211
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**TA No. 1003 of 2019 (O&M)
Date of Decision: 24.01.2020**

Karamjeet Kaur

... Applicant

Versus

Sandeep Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. S.K.Arora, Advocate,
for the applicant.

None for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of the petition filed by the respondent-husband under Section 9 of the Hindu Marriage Act, 1955 bearing HMA No.1079 of 2018 titled as “Sandeep Singh Vs. Karamjeet Kaur” pending in the Court of Principal Judge, Family Court, Moga to the Court of competent jurisdiction at Ferozepur.

2. Learned counsel for the applicant submits that one more petition filed by the applicant-wife under Section 13 of the Hindu Marriage Act for dissolution of marriage, is pending at Ferozepur.

3. Learned counsel for the applicant submits that petitioner is residing at Ferozepur in the house of her parents. She has one minor daughter aged about two years. The distance between Ferozepur and Moga is about 52 Kms. and it is difficult for her to go to Moga on each date of hearing. Learned counsel also submits that respondent-husband will not suffer any

inconvenience if the case is transferred from to Moga to Ferozepur.

4. Despite service, none has put in appearance on behalf of the respondent.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Both the case pending between the parties is aftermath of matrimonial discord. Keeping in view the contentions in the application and the conceded position that a petition under Section 13 of Hindu Marriage Act, 1955 is pending at Ferozepur, it would be proper, appropriate and in the interest of justice if both the cases are tried and decided at one place.

7. 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.

8. In the premise, present application is allowed. The petition in question pending before the Court of Principal Judge, Family Court, Moga is ordered to be withdrawn from that Court and is transferred to the District Judge, Ferozepur for its disposal in accordance with law by the Court concerned.

24.01.2020

Anjal

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No