

Sr. No.223

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

**TA No.1019 of 2019 (O&M)
Date of Decision: 05.02.2020**

Chinky

... Applicant

Versus

Manu Bansal

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Pawan Attri, Advocate,
for the applicant.

Respondent in person.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 9 of the Hindu Marriage Act bearing DMC No.1595 of 2019 titled as “Manu Bansal Vs Chinky” pending in the Court of Principal Judge, Family Court, Patiala to the Court of competent jurisdiction at Kaithal.

2. Learned counsel for the applicant submits that one petition under Section 125 Cr.P.C. filed by the applicant-wife is pending at Kaithal.

3. Learned counsel for the applicant further submits that petitioner is residing at Kaithal. The distance between Patiala and Kaithal is about 90 Kms. She has no source of income and it is difficult for her to go to Patiala on each date of hearing.

4. Respondent-husband is present in person and submits that he cannot afford a lawyer and he is interested to take the

applicant-wife back at home.

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

6. Both the cases pending between the parties are aftermath of matrimonial discord. Keeping in view the contentions in the application and the conceded position that petition under Section 125 Cr.P.C. is already pending in the Court at Kaithal, it would be proper, appropriate and in the interest of justice if both the cases are tried and decided at one place.

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 The petition in question pending before the Court of Learned Principal Judge, Family Court, Patiala is ordered to be withdrawn from that Court and is transferred to the District Judge, Kaithal for its disposal in accordance with law by the Court concerned.

8. In view of candid statement of respondent-husband, it is expected of the Family Court, Kaithal to try out the mediation process between the parties before proceeding further in the matter.

05.02.2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No