

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

**T.A NO. 1092 OF 2019
DATE OF DECISION : 03.02.2020**

Sonia Sabras

...Applicant

versus

Karan Singh

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. M. S. Jandiala, Advocate,
for the applicant.

Mr. Vinay Kataria, Advocate,
for the respondent.

ARUN MONGA, J. (ORAL)

This petition has been filed by the applicant-wife seeking transfer of a petition filed by her husband under Section 10 of the Hindu Marriage Act, 1955, titled as "Karan Thakur v. Sonia Sabras" from the Court of District Judge, Hoshiarpur to any other Court of competent jurisdiction at Chandigarh.

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

3. Learned counsel for the applicant further submits that applicant is residing with her parents at Chandigarh. She has no source of income. It is very difficult for her to travel 135 kms from Chandigarh to Hoshiarpur 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. Both 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, 2005, instituted at the instance of applicant-wife, is already pending in the Court at Chandigarh, it would be proper, appropriate and in the interest of justice if both the cases are tried and decided at one place.

6. Learned counsel for the applicant also relies upon the 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 wife is ought to be looked into.

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 The petition in question pending before the Court of District Judge, Hoshiarpur is ordered to be withdrawn from that Court and is transferred to District Judge, Chandigarh, for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 03, 2020
shalini

- | | | |
|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |