

Sr. No.205

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

**TA No.8991 of 2018 (O&M)
Date of Decision: 24.01.2020**

Rupinder Kaur

... Applicant

Versus

Jaspreet Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. S.S. Grewal, Advocate,
for the applicant.

Mr. Rakesh Bhatia, 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 DMC/93/2018 titled as “Jaspreet Singh Vs. Rupinder Kaur” pending in the Court of District Judge, Fatehgarh Sahib to the Court of competent jurisdiction at Moga.

2. Learned counsel for the applicant submits that petitioner is residing at village Korewal Kalan, District Moga. She has one minor child aged 2½ years. The distance between Fatehgarh Sahib and Moga is about 130 Kms. and it is difficult for her to go to Fatehgarh Sahib on each date of hearing. On the other hand, concededly the respondent-husband is posted at Sri Nagar and it is therefore seriously taken whether he travels to Sri Nagar to Moga or Fatehgarh Sahib.

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

5. The case pending between the parties is aftermath of matrimonial discord. Keeping in view the contentions in the application and the conceded position that respondent is posted at Sri Nagar and it is therefore seriously taken that he travels to Sri Nagar to Moga or Fatehgarh Sahib. Therefore, he can attend the Court proceedings at Moga also.

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 The petition in question pending before the Court of District Judge, Fatehgarh Sahib is ordered to be withdrawn from that Court and is transferred to the District Judge, Moga for its disposal in accordance with law by the Court concerned.

24.01.2020

Satyawan

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No