

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

-.-

TA 1017 of 2017 (O&M)
Date of decision: 11.12.2017

Ritu

.....*Applicant*

Versus

Manpreet Singh

.....*Respondent*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Ms Ramnish Puri, Advocate
for the applicant

-.-

Rekha Mittal, J. (Oral)

The applicant prays for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 filed by the respondent-husband from the Court of Additional District Judge, Sangrur to a Court of competent jurisdiction at Moga.

Counsel for the applicant has submitted that three cases, referred to in para 8 of the application filed by the applicant are pending in the Courts at Moga. The applicant has no source of income to maintain herself and pursue the litigation.

Perusal of averments made in para 8 of the application would make it evident that three cases statedly filed by the applicant were instituted subsequent to the petition under Section 13 HMA filed by the respondent-husband. There is a female child less than two years, born out of the wedlock and she is being look after by the respondent-husband.

Under the circumstances, it is appropriate that the petition is allowed to

proceed at the place where the same is filed. However, the applicant may file an application before the Court below for issuance of appropriate directions in the light of judgment of Hon'ble the Supreme Court of India ***Krishna Veni Nagam vs. Harish Nagam 2017(2) RCR (Civil) 358***. In case such an application is filed, the same shall be disposed of by the Court below in the light of aforesaid judgment and judgment of Hon'ble the Supreme Court ***Santhini v Vijaya Venketesh (Transfer Petition (Civil) 1278 of 2016, decided on 09.10.2017)*** before proceeding further with the matter.

With the aforesaid observations, the petition stands disposed of .

(Rekha Mittal)
Judge

11.12.2017
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No