

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

TA No. 1032 of 2017(O&M)

Date of decision: 13.12.2017

Parmila

....Applicant

VERSUS

Anil

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Arun Singal, Advocate for the applicant.

REKHA MITTAL, J.(Oral)

The applicant prays for transfer of petition filed under Section 13 of the Hindu Marriage Act, 1955 (in short 'the Act') titled **Anil Kumar Vs. Manisha @ Parmila** by the respondent-husband from the Court of District Judge, Family Court, Karnal to the Court of District Judge, Family Court, Sonapat.

Counsel for the applicant has submitted that application under Section 125 Cr.P.C. filed by the applicant is pending in the Court of District Judge, Family Court, Sonapat. A petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 is pending in the Court of Chief Judicial Magistrate, Sonapat. A complaint made against respondent and his family members referred to in para 3 of the application has been sent to the police for investigation by the Court under Section 156(3) Cr.P.C.

There is a female child out of the wedlock, being looked after by the respondent-husband. Personal appearance of the applicant is not

required on every date of hearing. Under the circumstances, it would be appropriate that the petition is allowed to continue at the place where the same is filed. However, applicant is at liberty to file an application for issuance of appropriate directions in the light of judgment of Hon'ble the Supreme Court **Krishna Veni Nagam Vs. Harish Nagam, 2017 (2) RCR (Civil) 358.** In case such an application is filed by the applicant, the same shall be disposed of by the Court below in the light of aforesaid judgment and judgment of Hon'ble the Supreme Court in **Transfer Petition (Civil) No. 1278 of 2016 (Santhini vs. Vijaya Venketash) decided on 9.10.2017** before proceeding further with the matter.

With the aforesaid observations, the petition stands disposed of.

DECEMBER 13, 2017

'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no