

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

-.-

TA 1049 of 2017 (O&M)  
Date of decision: 15.12.2017

*Smt. Pramila*

.....*Applicant*

*Versus*

*Vinod*

.....*Respondent*

**Coram: Hon'ble Mrs. Justice Rekha Mittal**

-.-

Present: Mr. Raghav Sharma, Advocate  
for the applicant

-.-

**Rekha Mittal, J.** (Oral)

The applicant prays for transfer of petition under Section 9 of the Hindu Marriage Act, 1955 (in short, HMA) titled '*Vinod v Smt. Pramila*' filed by the respondent-husband from the Court of Civil Judge (Senior Division) Chandigarh to a Court of competent jurisdiction at Panipat.

Counsel for the applicant has submitted that the applicant has got no source of income and is dependent upon her father.

The two litigations initiated at the behest of the applicant, referred to in para 5, are pending in the Court at Panipat, have been filed subsequent to the petition under Section 9 HMA. The three children aged 9, 8 and 6 years, born out of the wedlock, are being taken care of by the respondent. 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

15.12.2017  
mohan bimbura

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