

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

TA No. 388 of 2017(O&M)

Date of decision: 9.11.2017

Sulekha @ Pinki

....Applicant

VERSUS

Rajesh Kumar

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Varun Gupta, Advocate for the applicant.

REKHA MITTAL, J.(Oral)

Respondent has been served but remains unrepresented.

The applicant prays for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 (in short 'the Act') titled **Rajesh Kumar Vs. Sulekha @ Pinki** by the respondent-husband from the Court at Rewari to a Court of competent jurisdiction at Narnaul.

Counsel for the applicant has submitted that as the respondent always tried to humiliate the petitioner and also gives threat to the petitioner in the Court premises, petition may be transferred to Narnaul where litigation initiated at the behest of applicant is pending.

The physical distance between the two places is approximately 65 KMs. Two children born out of the wedlock in the year 2000 and 2002 are being looked after by the respondent-husband. There is no reference to the litigation stated to be pending at Narnaul. 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.

NOVEMBER 9, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

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