

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

TA No. 583 of 2017(O&M)

Date of decision: 16.8.2017

Sarabjit Kaur

....applicant

VERSUS

Amandeep

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Manoj Kumar Sharma, Advocate for the applicant.

REKHA MITTAL, J.(Oral)

The applicant prays for transfer of the petition under Section 9 of the Hindu Marriage Act, 1955 (in short 'the Act') titled **Amandeep Vs. Sarabjit Kaur** filed by the respondent from the Court of Civil Judge (Junior Division), Nakodar to a Court of competent jurisdiction at Hoshiarpur.

The only inconvenience sought to be pleaded by the applicant is that there is physical distance of about 90 KMs between the two places and the applicant is looking after the child born out of the wedlock. An application under Section 125 Cr.P.C. filed by the applicant is pending in the Court at Hoshiarpur.

The applicant has sought to create a forum of convenience by filing an application under Section 125 Cr.P.C. later to the petition under Section 9 of the Hindu Marriage Act, 1955 was filed by the respondent-husband. Under the circumstances, it is appropriate that the petition is allowed to continue at the place where the same is filed. However,

applicant is at liberty to file an appropriate application before the Court below for issuance of directions in the light of judgment of Hon’ble the Supreme Court in **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 before proceeding further with the matter.

With the aforesaid observations, the petition stands disposed of.

AUGUST 16, 2017		(REKHA MITTAL)
‘D. Gulati’		JUDGE
Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no