

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

-.-

TA 612 of 2017 (O&M)

Date of decision: 28.08.2017

*Jatinderpreet Kaur*

..... *Applicant*

*Versus*

*Navdeep Singh*

..... *Respondent*

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

-.-

Present: Mr. Ashish Aggarwal, Advocate  
for the applicant

-.-

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

CM 17752 CII of 2017

Allowed as prayed for. Annexures P2 and P3 are taken on record.

Main case

Prayer in this application is for transfer of petition under Section 9 of the Hindu Marriage Act, 1955 (in short, 'HMA') filed by the respondent-husband titled '*Navdeep Singh v Jatinderpreet Kaur*' pending in the Court of Additional Civil Judge (Senior Division) Batala to a Court of competent jurisdiction at Amritsar.

The applicant-wife has tried to create a forum of her convenience by filing application under Section 125 of the Code of Criminal Procedure subsequent to petition under Section 9 HMA filed by the respondent. The only inconvenience pleaded by the applicant is that she has taken admission in M.Lib for the year 2017-2018, therefore, it would be

difficult for her to defend the proceedings pending at Batala in an effective manner.

The physical distance between two places is approximately 70 kms. The personal appearance of the applicant is not required on each and every date of hearing. It would be appropriate if the petition is allowed to proceed at the place where the same is filed. However, the applicant may file an appropriate application before the Court for issuance of directions in the light of judgment of Hon'ble the Supreme Court of India in ***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 before proceeding further with the trial.

The petition stands disposed of accordingly.

(Rekha Mittal)  
Judge

28.08.2017  
mohan bimbura

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