

In the High Court of Punjab and Haryana at Chandigarh

T.A.No. 622 of 2017

Date of Decision:28.7.2017

Vijender Kaur

---Applicant

vs.

Jarnail Singh

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Vineet Chaudhary, Advocate
for the applicant

Rekha Mittal, J.

Prayer in this application is for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 filed by the respondent-husband pending in the Court of District Judge, Mohali to a Court of competent jurisdiction at Ambala.

The applicant has sought to create a ground of inconvenience by filing an application under Section 125 of the Code of Criminal Procedure subsequent to the instant petition filed by the respondent-husband. The physical distance between the two places is less than 60Kms. Under these circumstances, it is appropriate that the petition filed prior in time is allowed to continue at the place where the same is filed. However, the applicant is at liberty to apply to the Court for maintenance and travelling expense and the Court at Mohali would pass an appropriate order

providing for maintenance before calling upon the applicant to file reply.

The Court shall also ensure that on every hearing when the wife appears, the husband pays the amount determined as travelling expense for herself and an escort, before the trial progresses further.

Application for transfer is disposed of but with the aforesaid observations.

(Rekha Mittal)
Judge

28.7.2017
paramjit

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