

In the High Court of Punjab and Haryana at Chandigarh

Paramjit Kaur Saini
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T.A.No. 650 of 2017

Date of Decision: 8.8.2017

Mamta Rani

---Applicant

versus

Raj Kumar

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Arpandeeep Narula, Advocate
for the applicant

Rekha Mittal, J.

Prayer in this application is for transfer of petition under Section 9 of the Hindu Marriage Act, 1955 filed by the respondent-husband from the Court of Civil Judge (Senior Division), Fatehabad to a Court of competent jurisdiction at Sirsa.

Counsel for the applicant would state that besides physical distance of 45 Kms. between the two places, the applicant is carrying pregnancy of more than six months.

Personal appearance of the applicant is not required in the proceedings under Section 9 of the Act and distance between the two places is not very long. 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.

With the aforesaid observations, the petition stands disposed of.

(Rekha Mittal)
Judge

8.8.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No