

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

-.-

TA 668 of 2017 (O&M)

Date of decision:12.09.2017

Anju Bala

..... *Applicant*

Versus

Gagandeep Singh

.....*Respondent*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Sourabh Arora, Advocate
for the applicant

-.-

Rekha Mittal, J. (Oral)

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 '*Gagandeep Singh v. Anju Bala*' pending in the Court of District Judge, Gurdaspur to a Court of competent jurisdiction at Amritsar.

The only inconvenience pleaded by the applicant is that besides physical distance of 60/70 kms between the two places, the applicant has the responsibility to look after minor child aged about three years, born out of the wedlock.

Indisputably, the physical distance between the two places is approximately 60 kms. The proceedings under section 9 HMA do not require personal appearance of the applicant on each and every date of hearing. Under the circumstances, 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. Further, the trial Court would examine if there is possibility of any settlement by way of compromise, the parties may be referred to Mediation and Conciliation Centre at Gurdaspur. The petition stands disposed of.

(Rekha Mittal)
Judge

12.09.2017
mohan bimbra

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