

TA No. 687 of 2017
Date of Decision: 21.8.2017

Aarti

---Applicant

versus

Manoj Kumar

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Ms. Amarinder Verma, Advocate
for the applicant**

Rekha Mittal, J.

The applicant prays for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 (in short “HMA”) filed by the respondent-husband from the Court of Additional District Judge, Patiala to a Court of competent jurisdiction at Kurukshetra.

Counsel for the applicant would urge that two litigations arising out of matrimonial disharmony are pending in the Court at Shahbad Markanda District Kurukshetra. It is further submitted that brother of the respondent is a practicing Advocate at Patiala. He is junior associate of counsel representing the respondent in the petition under Section 13 HMA and is trying to interfere in the proceedings.

The physical distance between two places is approximately 75 Kms. The petition under Section 13 HMA cannot be transferred to a Court at Shahbad Markanda where other proceedings are pending. There is nothing on record to substantiate contention of the applicant that brother of the respondent is in a position to interfere in the proceedings filed by the

respondent. That being so, it would be appropriate if the petition is allowed to continue at the place where the same is filed.

With the aforesaid observations, the petition stands disposed of.

(Rekha Mittal)
Judge

21.8.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No