

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

-.-

TA 743 of 2017 (O&M)

Date of decision:12.09.2017

Seema Rani alias Ridhika

..... Applicant

Versus

Des Raj alias Raj

.....Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Manpreet Singh, Advocate
for the applicant

-.-

Rekha Mittal, J. (Oral)

Prayer in this application is for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 (in short, HMA) filed by the respondent - husband titled '*Desh Raj v. Seema Rani*' pending in the Court of District Judge, Mukatsar Sahib to a Court of competent jurisdiction at Moga.

The only inconvenience pleaded by the applicant is that her father is not keeping good health and there is no one in the family to accompany her to Moga for pursuing the petition.

Indisputably, the physical distance between the two places is approximately 70 kms. The proceedings under section 13 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 is at liberty to file an appropriate application before the Court

below for grant of maintenance as well as travelling expenses etc. in view 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 in case the applicant makes a request for referring the parties to the Mediation and Conciliation Centre for an amicable settlement, the Court shall examine the matter and, if need be, refer the parties to the Mediation and Conciliation Centre at Mukatsar Sahib.

With the aforesaid observations, the petition stands disposed of.

(Rekha Mittal)
Judge

12.09.2017
mohan bimbura

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