

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

-.-

TA 749 of 2017 (O&M)

Date of decision:12.09.2017

Bindia Sharma

..... *Applicant*

Versus

Shakti Sharma

.....*Respondent*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Munish Puri, Advocate
for the applicant

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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 '*Shakti Sharma v. Bindia Sharma*' pending in the Court of District Judge, Gurdaspur to a Court of competent jurisdiction at Pathankot.

The applicant has filed an application under Section 125 of the Code of Criminal Procedure subsequent to petition under Section 13 HMA was filed by the respondent-husband. The physical distance between the two places is approximately 45 kms. 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.

With the aforesaid observations, the petition stands disposed of.

(Rekha Mittal)
Judge

12.09.2017
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No