

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

-.-

TA 773 of 2017 (O&M)

Date of decision:18.09.2017

Rajinder Kaur

..... *Applicant*

Versus

Balwinder Singh

.....*Respondent*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Naresh Kumar Manchanda, Advocate
for the applicant

-.-

Rekha Mittal, J. (Oral)

Prayer in this application is for transfer of petition filed under Section 9 of the Hindu Marriage Act, 1955 (in short, HMA) by the respondent-husband pending in the Court of Additional Civil Judge, (Senior Division) Jagraon, Ludhiana to a Court of competent jurisdiction at Moga.

The inconvenience pleaded by the applicant-wife is that besides physical distance of approximately 65 kms between the two places, she has the responsibility to look after two minor children aged 6 and 5 years respectively, born out of the wedlock. The applicant is a resident of village Kaunke Kalan, Tehsil Jagraon. On a query raised by the Court, Counsel for the applicant would inform that distance between village of the applicant and Moga is approximately 25 kms whereas distance between her village and Jagraon is approximately 65 kms. 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 expeditiously before proceeding further in the matter.

With the aforesaid observations, the petition stands disposed of.

(Rekha Mittal)
Judge

18.09.2017
mohan bimbira

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