

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

-.-

TA 837 of 2017 (O&M)

Date of decision: 06.10.2017

Rekha Rani

..... *Applicant*

Versus

Sukhwinder Singh

..... *Respondent*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Mukesh Kumar Bhatnagar, Advocate
for the applicant

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Rekha Mittal, J. (Oral)

The applicant prays for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 (in short, HMA) titled '*Sukhwinder Singh v Rekha Rani*' from the Court of Additional District Judge, Ludhiana to a Court of competent jurisdiction at Shaheed Bhagat Singh Nagar.

Counsel for the applicant has submitted that two litigations initiated at the behest of the applicant, arising out of marital disharmony, are pending in the Court at Shaheed Bhagat Singh Nagar, therefore, the instant petition filed by the respondent seeking decree of divorce may be transferred to the Court at Shaheed Bhagat Singh Nagar to create convenience for the applicant to defend the proceedings in an effective manner.

The physical distance between the two places is approximately 60 kms and minor child, born out of wedlock of the parties, is being looked

after by the respondent-husband. It is 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 application before the Court below for issuance of appropriate directions in the light of judgment of Hon'ble the Supreme Court of India ***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 in the matter.

With the aforesaid observations, the petition stands disposed of.

(Rekha Mittal)
Judge

06.10.2017
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No

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Present: Mr. Advocate
 for the applicant
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(Rekha Mittal)
Judge

October 06, 2017
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