

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

-.-

TA 849 of 2017 (O&M)
Date of decision: 29.11.2017

Shakti Bala*Applicant*

Versus

Girdhar Gopal*Respondent*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Nikhil Batta, Advocate
for the applicant

-.-

Rekha Mittal, J. (Oral)

The applicant prays for transfer of petition for divorce filed by the respondent-husband titled '*Girdhar Gopal v Shakti Bala*' from the Court of District Judge, U.T. Chandigarh to a Court of competent jurisdiction at Patiala.

The inconvenience pleaded by the applicant-wife is that she is looking after two children, born out of the wedlock. The applicant is in a Government job and posted at Patiala, therefore, she finds it difficult to take leave for attending to the proceedings pending at Chandigarh. She is suffering from Asthma and eyes problem, therefore, causing difficulty to undertake journey from Patiala to Chandigarh.

The facts on record would reveal that the respondent-husband filed the petition in the year 2014 and the applicant is contesting the proceedings with the assistance of a counsel. The case is statedly

pending for evidence of the respondent. The applicant is a resident of Rajpura but stated to be working in Patiala. If the applicant can undertake journey from Rajpura to Patiala for the purpose of job, her plea that she finds it difficult to travel from Rajpura to Chandigarh to attend the proceedings occasionally is misconceived and liable to be rejected. Under the circumstances, it is appropriate that the petition is allowed to proceed at the place where the same is filed. However, the applicant may 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 in the light of aforesaid judgment and judgment of Hon'ble the Supreme Court in ***Santhini v Vijaya Venketesh (Transfer Petition (Civil) 1278 of 2016, decided on 09.10.2017)*** before proceeding further with the matter.

With the aforesaid observations, the petition stands disposed of .

(Rekha Mittal)
Judge

29.11.2017
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No