

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

TA No. 921 of 2017(O&M)

Date of decision: 2.11.2017

Nirmala Devi

....Applicant

VERSUS

Suraj Bhan

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. A.K. Walia, Advocate for the applicant.

REKHA MITTAL, J.(Oral)

The applicant prays for transfer of petition filed under Section 9 of the Hindu Marriage Act, 1955 (in short 'the Act') HMA/51/2017 titled **Suraj Bhan Vs. Nirmala Devi** by the respondent-husband from the Court of Additional Civil Judge (Senior Division), Fatehgarh Sahib to a Court of competent jurisdiction at Sangrur.

The only inconvenience pleaded by the applicant is that she has got no source of income and distance between the two places is approximately 100 KMs.

Counsel for the applicant, in response to a query, would divulge that a minor child born out of the wedlock is in custody of the respondent-husband. Personal appearance of the applicant is not required on each and every date of hearing. Under the circumstances, it would be appropriate that the petition is allowed to continue at the place where the same is filed. However, applicant is at liberty to file an application for issuance of appropriate directions in the light of judgment of Hon'ble the

Supreme Court **Krishna Veni Nagam Vs. Harish Nagam, 2017 (2) RCR (Civil) 358.** In case such an application is filed by the applicant, 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 **Transfer Petition (Civil) No. 1278 of 2016 (Santhini vs. Vijaya Venketash) decided on 9.10.2017** before proceeding further with the matter.

With the aforesaid observations, the petition stands disposed of.

NOVEMBER 2, 2017		(REKHA MITTAL)
‘D. Gulati’		JUDGE
Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no