

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

TA No. 946 of 2017(O&M)

Date of decision: 10.11.2017

Deepika Sehgal

....Applicant

VERSUS

Deepak Sehgal

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Prateek Pandit, Advocate for the applicant.

REKHA MITTAL, J.(Oral)

The applicant prays for transfer of petition filed under Section 13 of the Hindu Marriage Act, 1955 (in short 'the Act') titled **Deepak Sehgal Vs. Deepika Sehgal** by the respondent-husband from the Court of District Judge, Family Court, Moga to a Court of competent jurisdiction at Jalandhar.

Counsel for the applicant has submitted that earlier dispute between the parties was settled vide agreement dated 21.05.2017 but later respondent filed the petition under Section 13 of the Act. It is further submitted that the applicant has filed application under Section 125 Cr.P.C. in August 2017 and the same is pending in the Court at Jalandhar.

The physical distance between the two places is approximately 85 KMs. There is no child out of the wedlock. Personal appearance of the applicant is not required on each and every date of hearing. Under the circumstances, it is 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 10, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no