

TA No. 955 of 2017(O&M)
Date of Decision: 14.11.2017

Sunita Soni alias Gori

---Applicant

versus

Sanjeev Soni

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Vaibhav Jain, Advocate for the applicant

Rekha Mittal, J.

The applicant prays for transfer of petition filed under Section 13 of the Hindu Marriage Act, 1955 from the court of District Judge, Jalandhar to a court of competent jurisdiction at Ludhiana.

Counsel for the applicant has submitted that a child aged about 12 years is residing with the applicant creating inconvenience for her to pursue the proceedings in the Court at Jalandhar. Another submission made by counsel is that an application under Section 127 of the Code of Criminal Procedure (in short "Cr.P.C.") filed by the applicant is pending in the court at Ludhaina.

The physical distance between the two places is approximately 70 kms. 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.

(Rekha Mittal)
Judge

14.11.2017

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