

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

-.-

TA 988 of 2017 (O&M)

Date of decision: 19.12.2017

Manjinder Kaur Auja

.....*Applicant*

Versus

Karanbir Singh Bhinder

.....*Respondent*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Vivek K Thakur, Advocate
for the applicant

-.-

Rekha Mittal, J. (Oral)

The applicant prays for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 titled '*Karanbir Singh Bhinder v Manjinder Kaur Auja*' filed by the respondent-husband from the Court of Additional District Judge, Amritsar to a Court of competent jurisdiction at Kapurthala.

Counsel for the applicant has fairly informed the Court that the applicant-wife is residing in Canada and the child, born out of the wedlock, is studying there. It is prayed that the application may be disposed of but without prejudice to right of the applicant to file an application 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.*** Another submission made by counsel is that in case the applicant comes back to India with an intent to settle here, she may be left at liberty to file another application for transfer in the changed scenario.

In view of the above, the present petition stands disposed of. 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 *Santhini v Vijaya Venketesh (Transfer Petition (Civil) 1278 of 2016, decided on 09.10.2017)* before proceeding further with the matter.

Before parting with the order, it is clarified that the instant petition has been disposed of without notice to the respondent. However, if the respondent has any grievance to express, he shall be at liberty to file an appropriate application before this Court.

With the aforesaid observations, the petition stands disposed of .

(Rekha Mittal)
Judge

19.12.2017
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No