

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

-.-

TA 992 of 2017 (O&M)
Date of decision: 29.11.2017

Monika*Applicant*

Versus

Sumit Kumar*Respondent*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Vaibhav Jain, Advocate
for the applicant

-.-

Rekha Mittal, J. (Oral)

The applicant prays for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 filed by the respondent-husband from the Court of District Judge, Fatehabad to a Court of competent jurisdiction at Hisar.

Counsel for the applicant has submitted that there is no male member in the parental family of the applicant to accompany her to Fatehabad, causing inconvenience to pursue the litigation pending there.

The physical distance between place of residence of the applicant and Fatehabad is approximately 45 kms. The applicant is a resident of Aadampur and the Court at Hisar is at a distance of approximately 35 kms. from her parental house. 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