

In the High Court of Punjab and Haryana at Chandigarh**(Proceedings conducted through Video Conference)****TA-444-2020****Date of Decision: 25.11.2020****NEERU NANDA****---Applicant****versus****JATINDER KUMAR****---Respondent****Coram: Hon'ble Mrs. Justice Rekha Mittal****Present: Mr. Gaurav Goel, Advocate
for the applicant.***********Rekha Mittal, J.**

The applicant prays for transfer of petition filed under Section 13 of the Hindu Marriage Act, 1955 (in short “the Act”) titled “Jatinder Kumar Vs. Neeru Nanda” pending in the Court of Principal Judge, Family Court, Samrala, District Ludhiana to the Family Court, Khanna, District Ludhiana.

Counsel for the applicant would submit that brother of the applicant has died and she is staying with family of her brother. It is further argued that respondent is earning Rs.80,000/- per month but he is not even paying maintenance of Rs.4000/- per month regularly.

Reply, filed by the respondent through Sh. Yogesh Goel, Advocate, online, is taken on record.

Counsel for the respondent would argue that in the year 2010, the applicant filed petition under Section 24 of the Code of Civil Procedure for transfer of petition filed under Section 9 of the Act from Samrala to

Kharar but the same was dismissed by this Court vide order dated 10.03.2010, a copy whereof has been appended with the reply. It is further argued that distance between Samrala and Khanna is barely 12 Kms and as such, there is no question of any inconvenience muchless extreme difficulty to attend the proceedings pending in the Court at Samrala.

Counsel for the applicant has not disputed that distance between Samrala and Khanna is barely 12 Kms. The applicant has no disability to travel distance of 12 Kms. She would always be at liberty to seek compensation in respect of travelling expenses etc. on the dates, she appears in person before the Court concerned. In the given scenario, I do not find any reason to accept contention of the applicant for transfer of the case from Samrala to Khanna.

Disposed of accordingly.

(Rekha Mittal)
Judge

25.11.2020

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No