

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

**TA No. 359 of 2017(O&M)**

**Date of decision: 21.8.2017**

Meenu

....Applicant

VERSUS

Rishipal

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL**

Present: Mr. Vivek Khatri, Advocate for the applicant.

None for the respondent.

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**REKHA MITTAL, J.(Oral)**

The applicant prays for transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 titled **Rishipal Vs. Meenu** filed by the respondent/husband from the Court of Additional District Judge, Jhajjar to a Court of competent jurisdiction at Bhiwani.

The only inconvenience pleaded by the applicant is that due to physical distance of approximately 80 KMs, the applicant is not in a position to defend the proceedings in an effective manner, therefore, the petition pending at Jhajjar may be transferred to Bhiwani. Another submission made by counsel is that acquittal of the respondent in criminal proceedings pertaining to FIR No.49 dated 28.03.2012 is subject matter of appeal filed at the behest of the applicant and pending at Bhiwani.

The distance between the two places is approximately 80 KMs. 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 appropriate application for issuance of directions in the light of judgment of Hon’ble the Supreme Court in **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 before proceeding further with the matter.

With the aforesaid observations, the petition stands disposed of.

**AUGUST 21, 2017**

‘D. Gulati’

Whether speaking/reasoned

Whether reportable

:

:

yes/no

yes/no