

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

TA No. 753 of 2017(O&M)

Date of decision: 13.9.2017

Reena

....Applicant

VERSUS

Jasbir Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Karan Singh, Advocate for the applicant.

REKHA MITTAL, J.(Oral)

The applicant prays for transfer of petition under Section 9 of the Hindu Marriage Act, 1955 (in short 'the Act') titled **Jasbir Singh Vs. Reena** filed by respondent - husband from the Court of District Judge, Family Court, Karnal to a Court of competent jurisdiction at Kaithal.

Counsel for the applicant has submitted that besides physical distance of approximately 70 KMs between the two places, complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 filed at the behest of the applicant later to petition under Section 9 of the Act is pending in the Court at Kaithal.

The physical distance between the two places is approximately 70 KMs. The applicant has tried to create a forum of her convenience by filing a litigation subsequent to petition under Section 9 of the Act filed by the husband. 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 grant of maintenance, travelling expenses and issuance of other 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.

SEPTEMBER 13, 2017		(REKHA MITTAL)
‘D. Gulati’		JUDGE
Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no