

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

TA No. 800 of 2017(O&M)

Date of decision: 21.9.2017

Archana Rao

....Applicant

VERSUS

Prem Parkash

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Sunny K. Singla, 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 **Prem Parkash Vs. Archana Rao** from the Court of Civil Judge (Junior Division), Chandigarh to a Court of competent jurisdiction at Patiala.

Counsel for the applicant has submitted that two litigations initiated at the behest of the applicant, referred to in para 9 of the petition instituted in the year 2016 are pending in the Court at Patiala and the respondent-husband is defending those proceedings. It is further submitted that in case petition under Section 9 of the Act is transferred to a Court at Patiala, it will not cause any inconvenience for the respondent.

During the course of hearing, counsel for the applicant would inform that there are two children born out of the wedlock and both of them are residing with the respondent-husband. The physical distance between the two places is approximately 70 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.

SEPTEMBER 21, 2017		(REKHA MITTAL)
‘D. Gulati’		JUDGE
Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no