



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

Sr. No.225

TA-75-2024

Date of Decision: 22.10.2024

POOJA GABA

....Applicant

Versus**PARVEEN KUMAR**

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Akhil Ahuja, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 29.07.2024.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/164/2023, titled '*Parveen Kumar Vs. Pooja Gaba*', filed by the respondent-husband, pending in the Family Court, Sunam, District Sangrur and she seeks transfer of the same to the Court of competent jurisdiction at Nabha, District Patiala.

In pursuance of the notice issued, respondent did not make appearance. As such, he was proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage had taken place between the parties to the lis on 01.11.2021 and one son was born from the said wedlock on 02.10.2022. However, on account of the matrimonial discord, the parties are residing separate. Also, it is submitted that FIR bearing No.59 dated 05.05.2023, under Sections 406, 498-A and



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120-B IPC, was got lodged by the applicant at Police Station Kotwali, Nabha, in which challan is yet to be presented. Even, the petition under Section 125 Cr.P.C. has been filed by the applicant and the same is pending in the Courts at Nabha. Also further, it is submitted that the applicant has no source of earning. Even, the minor child born from the wedlock of the parties, is residing with the applicant.

In view of the submissions made aforesaid and taking into consideration the convenience of the applicant, who is wife, more particularly, while considering the applicant to be taking care of the minor child and having no source of earning, the application is accepted and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/164/2023, titled '*Parveen Kumar Vs. Pooja Gaba*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Sunam, District Sangrur, to Family Court (Camp Court) Nabha, District Patiala. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Nabha, to the District and Sessions Judge, Patiala.

Learned District and Sessions Judge, Patiala, shall assign the said petition to the Family Court (Camp Court) Nabha. Even, the parties are directed to appear before the Family Court (Camp Court) Nabha, within a period of one month from today onwards.

22.10.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No