



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.214

TA-143-2024

Date of Decision: 28.08.2024

MEHAK ALIAS MEHAK PAHWA

....Applicant

Versus

GULSHAN SINGH PAHWA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Hargun Sandhu, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the previous order, service of the respondent was duly effected. However, none has made appearance on behalf of the respondent. As such, he is proceeded against *ex parte*.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act, titled ‘*Gulshan Singh Pahwa Vs. Mehak*’ (Annexure P-1), filed at the instance of respondent-husband, pending in the Family Court Ludhiana, to the Court of competent jurisdiction at Pathankot.

In pursuance of the notice issued, respondent has not made appearance and as such, has been proceeded against *ex parte*.

Learned counsel for the applicant heard.

At the very outset, the counsel for the applicant submits that on account of matrimonial discord, the parties are residing separate. One daughter born from the wedlock of the parties to the lis, is presently in the



care and custody of the applicant. The applicant along with the daughter, is living at her parental place and is not having any independent source of earning. In these circumstances, it is submitted that the applicant finds it difficult to defend the divorce petition, at a distance of about 172 kilometres, from the place of her residence. As such, a prayer has been made for transfer of the divorce petition, pending at Family Court Ludhiana, to the Court of competent jurisdiction at Pathankot.

Keeping in view the submissions made by the counsel for the applicant and also considering the convenience of the applicantg-wife to defend the divorce petition, more particularly, while taking care of the minor child, the present application is hereby accepted and the petition under Section 13 of the Hindu Marriage Act, titled ‘*Gulshan Singh Pahwa Vs. Mehak*’ (Annexure P-1), filed at the instance of respondent-husband, stands transferred from Family Court Ludhiana, to the Court of competent jurisdiction at Pathankot. The requisite record of the aforesaid case be sent by Family Court Ludhiana, to the District and Sessions Judge, Pathankot.

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

28.08.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No