



TA-372-2024

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

Sr. No.116

TA-372-2024

Date of Decision: 11.12.2024

REKHA ALIAS KUMARI REKHA

....Applicant

Versus**RAVINDER SINGH**

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Vikas Sheel Verma, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/147/2022, titled '*Ravinder Singh Vs. Rekha*', filed by the respondent-husband, pending in the Family Court, Rupnagar and she seeks transfer of the same to the Court of competent jurisdiction at SAS Nagar.

As observed in the previous order, despite service, none has made appearance on behalf of the respondent. Today also, none has made appearance on his behalf. As such, the respondent is proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 10.10.2016, but no child was born from the said wedlock. On account of the matrimonial discord, the parties are residing separate. Also, it is submitted that an FIR bearing No.80 of 2022, under Section 498-A IPC, was got lodged by the applicant, at



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Police Station Phase-8, SAS Nagar, which is pending investigation. Even, the petition under Section 125 Cr.P.C. has been filed by the applicant, which is also pending in the Courts at SAS Nagar. Also, it is submitted that in the pending divorce petition, even though, interim maintenance has been fixed by the Family Court, but the respondent is not making payment of the same and an amount of more than Rs.1,00,000/- is due towards him. The applicant has no source of earning. In the given circumstances, it is submitted that it is difficult for the applicant to defend the divorce petition, pending in the Courts at Rupnagar.

In view of the aforesaid fact situation and also considering the fact about convenience of the wife to be taken into consideration, as per the settled law, the application is accepted and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/147/2022, titled '*Ravinder Singh Vs. Rekha*', filed by the respondent-husband, stands transferred from the Family Court, Rupnagar, to the Court of competent jurisdiction at SAS Nagar. The requisite record of the aforesaid case be sent by the Family Court, Rupnagar, to the District and Sessions Judge, SAS Nagar.

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

11.12.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No