



TA-417-2024

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

Sr. No.235

TA-417-2024

Date of Decision: 02.09.2024

DIVYA SHARMA

....Applicant

Versus

PUNEET KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Prashant Vashisth, 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/607/2023, titled '*Punit Kumar v/s Divya Sharma*' filed at the instance of the respondent/husband, from Family Court, Pathankot to the court of competent jurisdiction at Jalandhar.

Despite service, none has made appearance on behalf of the respondent. As such, respondent is proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by learned counsel for the applicant that the marriage between the parties to the lis had taken place on 24.04.2021. However, the matrimonial dispute arose between the parties, as a result whereof the parties are residing separate. Now, the respondent-husband had filed the petition under Section 13 of the Hindu Marriage Act and consequent to the same, the applicant has filed the present application for seeking transfer of the aforesaid petition from Family Court, Pathankot, to



TA-417-2024

the Court of competent jurisdiction at Jalandhar.

Also, it is submitted by learned counsel that the applicant was thrown out of the matrimonial home and at present she is residing with her aged parents and she is having no source of income. Even, the applicant has filed one petition under Section 125 Cr.P.C., which is pending in the courts at Jalandhar. In these circumstances, without having any source of income, it is difficult for the applicant to defend the petition under Section 13 of the Hindu Marriage Act, filed at the instance of the respondent-husband, from a distance of about 110 kms from her place of residence.

Considering the submissions made by learned counsel for the applicant and the various circumstances, as spelt out, the application, as such, is hereby accepted and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/607/2023, titled '*Punit Kumar v/s Divya Sharma*', filed at the instance of respondent-husband, stands transferred from the Family Court, Pathankot to the Court of competent jurisdiction at Jalandhar. The requisite record of the aforesaid divorce petition shall be transferred by the Family Court, Pathankot to District and Sessions Judge, Jalandhar.

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

02.09.2024
Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No