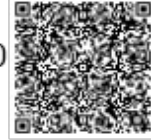


2024:PHHC:119820



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

TA-425-2024(O&M)

Date of Decision: September 12, 2024

Madhu Rani

...Applicant

Versus

Sunil Kumar

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Mayank Goyal, Advocate
for the applicant.

None for the respondent.

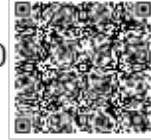
ARCHANA PURI, J.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act, filed by respondent-husband, which is pending in the Family Court, Camp Court, Hansi, District Hisar and she seeks transfer of the same to the Court of competent jurisdiction at Sirsa.

In pursuance of the notice issued by the Court, respondent has not made appearance and as such, he is proceeded against ex-parte.

Learned counsel for the applicant heard.

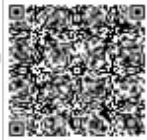
It is submitted by learned counsel for the applicant that marriage between the parties to the lis, had taken place on 30.04.2021, but

**TA-425-2024****-2-**

no child born. However, due to matrimonial discord, they are residing separate. On account of this matrimonial dispute, the applicant had got lodged FIR No.92 dated 18.04.202 under Sections 323, 34, 406 and 498-A IPC, at police station Nathu Sarai Chopta, District Sirsa, against the respondent, wherein, challan has been presented and trial is pending adjudication and the respondent is making appearance in the aforesaid trial. Even, petition under Section 125 Cr.P.c. has been filed by the applicant, which is also pending adjudication, in the Courts at Sirsa and the respondent is also making in the same.

Also, it is submitted that the applicant is housewife and has no independent source of earning. In the given circumstances, it is difficult for her to commute 120 Kms., to defend the petition under Section 9 of the Hindu Marriage Act, pending at Camp Court, Hansi.

In view of the submissions made by learned counsel for the applicant and also considering the settled position of law about weightage to be given to the convenience of the applicant-wife and considering about the applicant, to be having no source of earning and also the distance between Hansi and Sirsa, the transfer application, as such, is hereby accepted and petition bearing No.DMC-321-2023, titled as 'Sunil Kumar vs. Madhu Rani', filed under Section 9 of the Hindu Marriage Act, stands transferred from the Camp Court, Hansi, District Hisar, to the Court of competent jurisdiction at Sirsa. The requisite record of the aforesaid divorce petition shall be transferred by the Camp Court, Hansi, District Hisar to District and Sessions Judge, Sirsa.



TA-425-2024

-3-

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

September 12, 2024
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No