



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.118

TA-446-2024

Date of Decision: 23.10.2024

MEENU

....Applicant

Versus

NARESH KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Monika Beriwal, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 11.09.2024.

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. DMC/802/2021, titled '*Naresh Kumar Vs. Meenu*', filed by the respondent-husband, pending in the Family Court, Rohtak and she seeks transfer of the same to the Court of competent jurisdiction at Sonipat.

In pursuance of the notice issued, respondent did not make appearance, despite service. 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 between the parties to the lis, had taken place on 23.04.2013. However, on account of the matrimonial discord, they are residing separate. Two children born from the said wedlock are in the care and custody of the applicant. She has no source of earning. Also, it is submitted that the applicant has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at



Sonipat. In the given circumstances, while taking care of two children, it is difficult for the applicant to defend the divorce petition, from a distance of about 55 kilometres, from the place of her residence.

In view of the aforesaid fact situation and also taking into consideration the preference to be given to the convenience of the wife, in case of transfer applications relating to the matrimonial dispute, the application is accepted and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/802/2021, titled '*Naresh Kumar Vs. Meenu*', filed by the respondent-husband, stands transferred from the Family Court, Rohtak, to the Court of competent jurisdiction at Sonipat. The requisite record of the aforesaid case be sent by the Family Court, Rohtak, to the District and Sessions Judge, Sonipat.

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

23.10.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No