

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

Sr. No.113

TA-652-2024

Date of Decision: 17.09.2024

NISHA

....Applicant

Versus

BALJEET SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Surinder Gaur, Advocate
for the applicant.

None for the respondent.

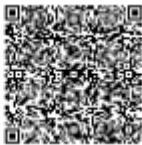
ARCHANA PURI, J. (Oral)

None had made appearance on behalf of the respondent, despite service, as observed in the order dated 02.09.2024. Today also, none had made appearance on behalf of the respondent. As such, the respondent is proceeded against *ex parte*.

Learned counsel for the applicant heard.

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/187/2024, titled '*Baljeet Singh Vs. Nisha*', filed by the respondent-husband, pending in Family Court Kaithal and she seeks transfer of the same to the Court of competent jurisdiction at Gohana, District Sonipat.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis had taken place on 14.03.2023, but no child was born from the said wedlock. However, due to the matrimonial discord, the parties are residing separate. In fact, the applicant was turned out of the



matrimonial house on 22.03.2024. Thereafter, the applicant had filed a complaint under the Protection of Women from Domestic Violence Act, and petition under Section 125 Cr.P.C. and the same are pending in the Courts at Gohana, District Sonipat.

In the light of the submissions aforesaid, considering the settled position of law, about the weightage to be given to the convenience of the wife, in the transfer applications based on the matrimonial disputes between the parties to the lis, more particularly, when the respondent has not made appearance in the present case and has been proceeded against *ex parte* and also considering the distance between Kaithal and Gohana to be about 120 kilometres, the present application is hereby accepted and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/187/2024, titled '*Baljeet Singh Vs. Nisha*', filed by the respondent-husband, stands transferred from Family Court Kaithal, to the Court of competent jurisdiction at Gohana, District Sonipat. The requisite record of the aforesaid case be sent by Family Court Kaithal, to the District and Sessions Judge, Sonipat.

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

17.09.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No