

TA-831-2024

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

Sr. No.126

TA-831-2024

Date of Decision: 24.10.2024

SHEETAL

....Applicant

Versus

RAKESH SAHOTA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Naveen Bawa, 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 9 of the Hindu Marriage Act i.e. DMC/352/2024, titled '*Rakesh Sahota Vs. Sheetal*', filed by the respondent-husband, pending in the Family Court, Patiala and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

There is no representation on behalf of the respondent today. As observed in the previous order, the respondent did not make appearance, despite service. Hence, 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 21.06.2021. One female child born from the said wedlock, who is about 2 years old, is in the care and custody of the applicant. On account of the matrimonial discord, the applicant has filed the petition under the Protection of Women from

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Domestic Violence Act, which is pending in the Courts at Ludhiana. In the given circumstances, it is submitted that it is difficult for the applicant, to defend the petition under Section 9 of the Hindu Marriage Act, from a distance of about 100 kilometres, more particularly, while taking care of the minor daughter.

In view of the submissions made aforesaid and also keeping in view 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 9 of the Hindu Marriage Act i.e. DMC/352/2024, titled '*Rakesh Sahota Vs. Sheetal*', filed by the respondent-husband, stands transferred from the Family Court, Patiala, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Patiala, to the District and Sessions Judge, Ludhiana.

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

24.10.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No