



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

Sr. No.111

TA-958-2023

Date of Decision: 21.10.2024

PREETI SANDHU

....Applicant

Versus

DEEPAK KALIA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. H.N. Sahu 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/37/2023, titled '*Deepak Kalia Vs. Preeti Sandhu*', filed by the respondent-husband, pending in the Family Court, Yamuna Nagar and she seeks transfer of the same to the Court of competent jurisdiction at Karnal.

In pursuance of the notice issued, respondent did not make appearance. As such, he 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 24.11.2015. However, due to the matrimonial discord, they are residing separate. One daughter was born from the said wedlock on 13.02.2017, who is presently in the care and custody of the applicant. The applicant is residing with her parental family at Karnal and she has no independent source of earning. In the given



circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 100 kilometres, to defend the divorce petition, more particularly, while taking care of the minor daughter. As such, a prayer is made for acceptance of the application.

In view of the submissions made aforesaid and also taking into consideration the settled position of law about weightage to be given to the convenience of 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. HMA/37/2023, titled '*Deepak Kalia Vs. Preeti Sandhu*', filed by the respondent-husband, stands transferred from the Family Court, Yamuna Nagar, to the Court of competent jurisdiction at Karnal. The requisite record of the aforesaid case be sent by the Family Court, Yamuna Nagar, to the District and Sessions Judge, Karnal.

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

21.10.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No