

TA-1034-2023

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

Sr. No.108

TA-1034-2023

Date of Decision: 24.10.2024

NISHA RANI

....Applicant

Versus

AKASHDEEP

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. S.K. Bokolia, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 18.10.2024.

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. HMA/49/2022, titled '*Akashdeep Vs. Nisha Rani*', filed by the respondent-husband, pending in the Family Court, Baba Bakala, District Amritsar and she seeks transfer of the same to the Court of competent jurisdiction at Moga.

In pursuance of the notice issued, respondent did not make appearance. 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 23.11.2020. One female child was born from the said wedlock, who is about 3 years old. The said daughter is presently in the care and custody of the applicant. On account of the matrimonial discord, the applicant is residing at her parental family and

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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 130 kilometres, from the place of her residence, to defend the petition under Section 9 of the Hindu Marriage Act.

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. HMA/49/2022, titled '*Akashdeep Vs. Nisha Rani*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Baba Bakala, District Amritsar, to the Court of competent jurisdiction at Moga. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Baba Bakala, to the District and Sessions Judge, Moga.

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

24.10.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No