

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.118

TA-139-2024

Date of Decision: 21.10.2024

MONA RANI @ MONIKA

....Applicant

Versus

PAWAN KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. B.S. Sidhu, Advocate
for the applicant.

None for the respondent.

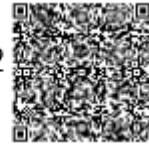
ARCHANA PURI, J. (Oral)

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/911/2023, titled '*Pawan Kumar Vs. Mona Rani*', filed by the respondent-husband, pending in the Family Court, Ludhiana and she seeks transfer of the same to the Family Court (Camp Court) Dabwali, District Sirsa.

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 applicant and the respondent, had taken place on 21.04.2021 and no child was born from the said wedlock. However, due to the matrimonial discord, they are residing separate. The applicant is having no independent source of earning and is totally dependent upon her parental



TA-139-2024

family. Also, it is submitted that the petition under Section 125 Cr.P.C., was filed by the applicant, which has since been decided by learned Family Court (Camp Court) Dabwali, District Sirsa, vide order dated 19.01.2023. Now, the execution relating to this maintenance order, is pending in the Courts at Mandi Dabwali. In the given circumstances, it is submitted that it is difficult for the applicant to defend the divorce petition, from a distance of about 200 kilometres, from the place of her residence.

Keeping in view the submissions made by the counsel for the applicant and also considering 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 hereby accepted and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/911/2023, titled '*Pawan Kumar Vs. Mona Rani*', filed by the respondent-husband, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Dabwali, District Sirsa. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, to the District and Sessions Judge, Sirsa.

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

21.10.2024

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No