



TA-3-2023

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

Sr. No.202

TA-3-2023

Date of Decision: 06.08.2025

SEEMA

....Applicant

Versus

ASHISH KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Vivek Goyal, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the order dated 02.07.2025, despite service, the respondent did not make appearance on that date. Even today, he has not made appearance. As such, the respondent is proceeded against *ex parte*.

Counsel for the applicant heard.

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/1030/2021, titled '*Ashish Kumar Vs. Seema*', filed by the respondent-husband, pending in the Family Court, Patiala and she seeks transfer of the



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same to the Court of competent jurisdiction at Panchkula.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 20.10.2019, but no child was born from the said wedlock. Even though, the applicant was pregnant, but however, she has undergone abortion, on account of death of child in her womb. On account of the matrimonial dispute, the parties are residing separate. The respondent is facing trial in the Courts at Panchkula, relating to FIR bearing No.107 dated 18.08.2021, under Sections 113, 323, 406, 498-A and 506 IPC, got lodged by the applicant at Women Police Station, Sector-5, Panchkula. Besides the same, the applicant has filed the petition under Section 13 of the Hindu Marriage Act i.e. HMA/94/2022, which is pending in the Courts at Panchkula and the respondent is making appearance in the same. Also, it is submitted that the applicant is not doing anything and as such, she is dependent upon her parental family. Though, earlier she was doing a private in Manimajra, at the time when she was residing with the respondent, but however, after the dispute arose between the parties, she started living at her parental house and left her job.

In view of the aforesaid mitigating circumstances and also considering the fact of the respondent having not come forward to resist the application, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/1030/2021, titled '*Ashish Kumar Vs. Seema*', filed by the respondent-husband, stands transferred from the Family Court, Patiala, to the Court of competent jurisdiction at Panchkula. The requisite record of the aforesaid case be sent by the Family Court, Patiala, to the District and Sessions Judge, Panchkula.



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

06.08.2025
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(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No