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

Sr. No.207**TA-11-2025****Date of Decision: 14.05.2025****POOJA****....Applicant****Versus****BINTU SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. L.K.Narang, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 09.04.2025 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*.

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/102/2024 titled “*Bintu Singh v/s Pooja*”, filed by the respondent/husband, which is pending in the courts at Moonak, District Sangrur and she seeks transfer of the same to the court of competent jurisdiction at Hansi, District Hisar.

Counsel for the applicant heard.



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It is submitted by the counsel for the applicant that the marriage between the parties was solemnized on 23.06.2023, but no child was born from the said wedlock. On account of matrimonial dispute, the parties are residing separate. Also, it is submitted that the applicant is not working and as such, has no source of earning, on which account, she has filed petition under Section 125 Cr.P.C. as well as petition under Section 12 of the Protection of Women from Domestic Violence Act, which are pending in the courts at Hansi and the respondent is making appearance in the said cases. Also, the applicant has got lodged FIR No.0102 dated 08.12.2024, under Sections 323, 377, 406, 498-A, 506 of IPC against the respondent, trial whereof is pending in the courts at Hansi. The distance between the two places is about 90 kms. As such, it is submitted that it is difficult for the applicant to defend the petition pending at Moonak, District Sangrur.

Considering the aforesaid circumstances and taking into consideration the preference generally given by the courts to the convenience of wife in case of transfer applications, relating to the matrimonial disputes, more particularly, when the respondent has not come forward to resist the transfer application; considering the fact that the applicant is not having any source of earning as well as two other litigation already pending at Hansi, which are being pursued by the respondent, the transfer application is hereby allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/102/2024 titled "*Bintu Singh v/s Pooja*", filed by the respondent/husband, stands transferred from the Family Court, Moonak, to the Court of competent jurisdiction at Hansi, District Hisar. The requisite record of the aforesaid case be sent by the Family Court, Moonak, to the District and Sessions Judge, Hisar.



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

14.05.2025
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(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No