



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

**Sr. No.118**

**TA-74-2024**

**Date of Decision: 26.03.2025**

**SAPNA**

**....Applicant**

**Versus**

**DHARAM SINGH**

**.....Respondent**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Rajat Sheokhand, Advocate for the applicant.

None for the respondent.

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**ARCHANA PURI, J. (Oral)**

As per the observations made in the order dated 15.02.2025, despite service, the respondent did not make appearance on that date. Even today, none has made appearance on his behalf. As such, the respondent is proceeded against *ex parte*.

The counsel for the applicant heard.

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/714/2023, titled '*Dharam Singh Vs. Sapna and another*', filed by the respondent-husband, pending in the Family Court, Karnal and she seeks transfer of the same to the Court of competent jurisdiction at Panipat.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 04.11.2008. Two children were born from the said wedlock, one son and one daughter. The son, who is about 13 years old, is in the care and custody of the respondent-husband, whereas, the daughter, who is about 10 years old, is in the care and custody



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of the applicant-wife. On account of the matrimonial discord, the parties are residing separate. Also, it is submitted that the applicant is a home-maker and as such, is totally dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C. i.e. MNT-125/132/2023, which is pending in the Courts at Panipat. In the given circumstances, it is submitted that it is difficult for the applicant to defend the divorce petition, from the place of her residence.

In view of the submissions aforesaid and also considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly, when the respondent has not come forward to resist the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/714/2023, titled '*Dharam Singh Vs. Sapna and another*', filed by the respondent-husband, stands transferred from the Family Court, Karnal, to the Court of competent jurisdiction at Panipat. The requisite record of the aforesaid case be sent by the Family Court, Karnal, to the District and Sessions Judge, Panipat.

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

**26.03.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No