



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

Sr. No.124-1

TA-65-2025

Date of Decision: 26.08.2025

SMT ROSHAN

....Applicant

Versus

ANIL KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Parveen, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 29.04.2025.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13(1) (ia) (ib) of the Hindu Marriage Act, titled '*Anil Kumar v/s Smt. Roshan*', filed by the respondent-husband, pending in the Family Court, Bhiwani and she seeks transfer of the same to the Court of competent jurisdiction at Charkhi Dadri.

Upon notice, the respondent did not make appearance and was proceeded against *ex parte*.

Counsel for the applicant heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties, had taken place on 07.12.2015 but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. Also, it is submitted that the applicant has lost her parents, soon after her marriage and is



dependent upon her brother, who also have no sufficient resources. The distance between the two places, where the divorce petition is pending and the place where it is sought to be transferred is about 25 kms. However, counsel submits that the applicant is resident of Village Atela Khurd, Tehsil and District Charkhi Dadri, which is further 15 kms away from the courts. In the given circumstances, it is submitted that it is difficult for the applicant to commute such distance, while having no source of earning.

Considering the aforesaid mitigating circumstances and also taking into consideration the fact of the applicant, having not come forward to resist the transfer application, the same is allowed and the petition under Section 13(1) (ia) (ib) of the Hindu Marriage Act, titled '*Anil Kumar v/s Smt. Roshan*', filed by the respondent-husband, stands transferred from the Family Court, Bhiwani, to the Court of competent jurisdiction at Charkhi Dadri. The requisite record of the aforesaid case be sent by the Family Court, Bhiwani to the District and Sessions Judge, Charkhi Dadri.

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

26.08.2025

Sonu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No