



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

Sr. No.233

TA-91-2025

Date of Decision: 19.05.2025

HIMANSHI SHARMA

....Applicant

Versus

VISHAL SHARMA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Rahul Garg, 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 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. HMA/1057/2024, titled '*Vishal Sharma Vs. Himanshi Sharma*', filed by the respondent-husband, pending in the Family Court, Amritsar and she seeks transfer of the same to the Court of competent jurisdiction at Nabha, District Patiala.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 18.01.2024, but no child was born from the said wedlock. The applicant is not having any source of



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earning and is totally dependent upon her parental family. Even, she had filed the petition under Section 125 Cr.P.C., in the Courts at Nabha, which has since been decided and maintenance is fixed. However, execution qua the same is pending in the Courts at Nabha. Also, the applicant has filed the petition under Sections 12, 17, 18, 19, 20, 21, 21, 22, 22 and 23 of the Protection of Women from Domestic Violence Act i.e. COMA/177/2024, which is also pending in the Courts at Nabha and the respondent has been proceeded against *ex parte*, in the same. Besides the same, it submitted that the respondent is facing trial in the Courts at Patiala, relating to FIR bearing No.68 dated 17.08.2024, under Sections 406, 498-A and 506 IPC, got lodged by the applicant at Women Police Station.

In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 250 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act, from the place of her residence.

In view of the submissions aforesaid, more particularly, considering the applicant to be not having any source of earning; considering the distance between the two places; 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. HMA/1057/2024, titled '*Vishal Sharma Vs. Himanshi Sharma*', filed by the respondent-husband, stands transferred from the Family Court, Amritsar, to the Court of competent jurisdiction at Nabha, District Patiala. The requisite record of the aforesaid case be sent by the Family Court, Amritsar, to the District and Sessions Judge, Patiala.



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

19.05.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No