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

Sr. No.203**TA-114-2025****Date of Decision: 20.08.2025****CHETNA GUPTA****....Applicant****Versus****ROHIT JINDAL****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

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

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 07.05.2025, 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 13 of the Hindu Marriage Act i.e.



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HMA/1246/2024, titled '*Rohit Jindal Vs. Chetna Gupta*', filed by the respondent-husband, pending in the Family Court, Gurugram and she seeks transfer of the same to the Court of competent jurisdiction at Bhiwani.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 20.04.2022. One son born from the said wedlock, who is about 2 years old at present, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant has no source of earning and as such, she had filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 i.e. MNT/256/2024, which is pending in the Courts at Bhiwani and the respondent is making appearance in the same. Besides the same, she has also filed the petition under the Protection of Women from Domestic Violence Act i.e. COMA/158/2024, which is also pending in the Courts at Bhiwani. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 120 kilometres, to defend the divorce petition.

In view of the mitigating circumstances aforesaid, more particularly, considering the applicant to be taking care of the minor son, while she is herself having no source of earning and also considering the fact about the respondent having 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/1246/2024, titled '*Rohit Jindal Vs. Chetna Gupta*', filed by the respondent-husband, stands transferred from the Family Court, Gurugram, to the Court of competent jurisdiction at Bhiwani. The



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requisite record of the aforesaid case be sent by the Family Court, Gurugram, to the District and Sessions Judge, Bhiwani.

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

20.08.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No