

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

208

TA-147-2025(O&M)
Date of Decision: July 31, 2025

Mamta

...Applicant

Versus

Sanjay

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Deepinder Singh Walia, Advocate for
Mr.Namish Sodhi, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J.

Perusal of the paperbook reveals that vide order dated 15.05.2025, none had made appearance on behalf of the respondent, despite service. Even, on the subsequent date, he had not made appearance. Today also, none has made appearance on behalf of the respondent. As such, 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 9 of Hindu Marriage Act i.e. DMC-911-2024 titled 'Sanjay v/s Mamta' filed by the respondent-husband, which



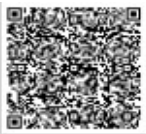
is pending in the Family Court, Patiala and she seeks transfer of the same to the court of competent jurisdiction at Ludhiana.

It is submitted by the counsel for the applicant that the marriage between the parties was solemnized on 22.08.2020 and one girl child was born from this wedlock, who is aged about 04 years, is in the care and custody of the applicant. On account of matrimonial discord, the parties are residing separate.

Also, it is submitted by the counsel for the applicant that the applicant is home-maker and as such, has no independent source of earning. She is dependent upon her parental family. Even, she has filed the petition under Section 144-145 of Bhartiya Nagarik Suraksha Sanhita, 2023, titled 'Mamta and another v/s Sanjay', which is pending in the Courts at Ludhiana. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of 100 Kms. to defend the petition filed under Section 9 of Hindu Marriage Act.

Keeping in view the aforesaid mitigating circumstances and more particularly, considering the fact about the respondent, having not come forward to resist the application, the transfer application is allowed and the petition under Section 9 of Hindu Marriage Act i.e. DMC-911-2024 titled 'Sanjay v/s Mamta', filed by the respondent-husband, stands transferred from the Family Court, Patiala to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Patiala to the District and Sessions Judge, Ludhiana.

Learned District and Sessions Judge, Ludhiana, shall assign the



TA-147-2025

said petition to the Family Court, Ludhiana. Even, the parties are directed to appear before the Family Court, Ludhiana within a period of one month from today onwards.

July 31, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No