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2025:PHHC:137259



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

Sr. No.204

TA-132-2025

Date of Decision: 30.09.2025

LAXMI RANI

....Applicant

Versus

AKASH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. S.S. Sahu, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 22.08.2025.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/407/2024, titled '*Akash Vs. Laxmi Rani*', filed by the respondent-husband, pending in the Family Court, Hisar and she seeks transfer of the same to the Court of competent jurisdiction at Tohana, District Fatehabad.

Upon notice issued, the respondent did not make appearance, despite service and as such, 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 to the lis, had taken place on 02.09.2020. Two children born from the said wedlock, who are in the age group of 7 months to 1½ years, are in the care and custody of the applicant. Also, it is submitted that the applicant is not having any source of earning and as such, she along with her children, is dependent upon her parental



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family. On account of the matrimonial dispute, the applicant has filed the petition under the Protection of Women from Domestic Violence Act, which is pending in the Courts at Tohana and the same is pursued by the respondent. The distance between the two places is stated to be about 80 kilometres.

In view of the mitigating circumstances, as noted aforesaid, more particularly, considering the applicant taking care of two minor children, while herself having no source of earning and above it, 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. DMC/407/2024, titled '*Akash Vs. Laxmi Rani*', filed by the respondent-husband, stands transferred from the Family Court, Hisar, to the Court of competent jurisdiction at Tohana, District Fatehabad. The requisite record of the aforesaid case be sent by the Family Court, Hisar, to the District and Sessions Judge, Fatehabad.

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

30.09.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No