



TA-140-2025

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

Sr. No.255

TA-140-2025

Date of Decision: 11.08.2025

RAKHI ANEJA

....Applicant

Versus

RUPESH KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Arjun Veer Sharma, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the order dated 13.05.2025, 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 9 of the Hindu Marriage Act i.e. HMA/281/2024, titled '*Rupesh Kumar Vs. Rakhi Aneja*', filed by the respondent-husband, pending in the Family Court (Camp Court) Nakodar,



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District Jalandhar and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

It is submitted that no child was born from the said wedlock. The applicant is not having any source of earning and as such, is dependent upon her brother. Even, the mother of the applicant is stated to be bed-ridden. Two other cases i.e. petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and the petition under the Protection of Women from Domestic Violence Act, filed by the applicant, are already pending in the Courts at Ludhiana. In the maintenance petition, the respondent has already made appearance, whereas the petition under the Protection of Women from Domestic Violence Act, is at the appearance stage. The distance between the two places is about 65 kilometres.

Keeping in view the aforesaid mitigating circumstances, more particularly, when the applicant is not having any source of earning and considering two cases arising from the matrimonial dispute, already pending in the Courts at Ludhiana and also taking into consideration 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 the Hindu Marriage Act i.e. HMA/281/2024, titled '*Rupesh Kumar Vs. Rakhi Aneja*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Nakodar, District Jalandhar, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Nakodar, to the District and Sessions Judge, Ludhiana.



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Learned District and Sessions Judge, Ludhiana, shall assign the 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.

11.08.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No