



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

Sr. No.111

**TA-211-2024 (O&M)
Date of Decision: 14.05.2025**

PARVEEN KUMARI

....Applicant

Versus

SUSHIL KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ritesh Pandey, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 29.04.2025, 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 13 of the Hindu Marriage Act i.e. HMA/709/2023, titled '*Sushil Kumar v/s Parveen Kumari*', filed by the respondent-husband, pending in the Family Court, Ambala and she seeks transfer of the same to the Court of competent jurisdiction at Hoshiarpur.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 28.11.2019 and no child was born from the said wedlock. On account of matrimonial dispute, the parties are residing separate. The applicant is not having any source of



earning and is totally dependent upon her parental family. The applicant has filed petition under Section 125 Cr.P.C., which is pending in the courts at Hoshiarpur and the respondent is making appearance in the same. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 200 kms, to defend the divorce petition.

Considering the aforesaid circumstances and taking into consideration the preference generally given by the courts to the convenience of wife in case of transfer applications, relating to the matrimonial disputes, more particularly, when the respondent has not come forward to resist the transfer application; considering the fact that the applicant is not having any source of earning as well as taking into consideration the distance between the two places to be about 200 kms, the transfer application is hereby allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/709/2023, titled '*Sushil Kumar v/s Parveen Kumari*', filed by the respondent-husband, stands transferred from the Family Court, Ambala, to the Court of competent jurisdiction at Hoshiarpur. The requisite record of the aforesaid case be sent by the Family Court, Ambala, to the District and Sessions Judge, Hoshiarpur.

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

14.05.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No