

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

Sr. No.202

TA-243-2024

Date of Decision: 25.02.2025

CHANDNI

....Applicant

Versus

ROBIN SACHDEVA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Vipul Aggarwal, Advocate
for the applicant.

None for the respondent.

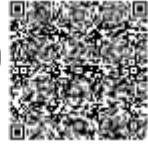
ARCHANA PURI, J. (Oral)

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/463/2023, titled '*Robin Sachdeva Vs. Chandni*', filed by the respondent-husband, pending in the Family Court, SAS Nagar and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.

On the last date of hearing, none had made appearance on behalf of the respondent, despite service. Even today, none has made appearance on his behalf. As such, the respondent is proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 27.11.2013. One son born from the said wedlock, who is about 10 years old, is in the care and custody of the applicant. The applicant is not having any source of earning and is



totally dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C. i.e. MNT-125/47/2024, which is pending in the Courts at Amritsar, at appearance stage. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 240 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid, considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly, when the applicant is taking care of the minor son born from the wedlock of the parties and also considering the distance between the two places, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/463/2023, titled '*Robin Sachdeva Vs. Chandni*', filed by the respondent-husband, stands transferred from the Family Court, SAS Nagar, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court, SAS Nagar, to the District and Sessions Judge, Amritsar.

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

25.02.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No