

TA-260-2025

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

Sr. No.254

TA-260-2025

Date of Decision: 29.05.2025

PRIYANKA

....Applicant

Versus

JASWANI KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Vishal Sharma Haritwal, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 22.05.2025 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/320/2024 titled '*Jaswani Kumar v/s Priyanka*', filed by the respondent-husband, pending in the Family Court, Bahadurgarh, District

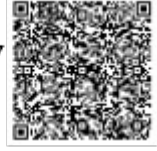


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Jhajjar and she seeks transfer of the same to the Court of competent jurisdiction at Gurugram.

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 19.12.2021, but no child was born from the said wedlock. The parties have fallen apart. She is residing at her parental place at Gurugram and is dependant upon her parental family. The applicant has filed complaint under Section 12 of Protection of Women from Domestic Violence Act, maintenance petition as well as criminal complaint and status of the said cases is annexed as Annexure P-3 to P-5, which are pending in the courts at Gurugram 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 100 kms, to defend the petition under Section 9 of Hindu Marriage Act.

Considering the submissions aforesaid and taking into consideration the fact of three other cases, already pending in the courts at Gurugram, which are being pursued by the respondent, more particularly, when the respondent has not come forward to resist the transfer application, same is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/320/2024 titled '*Jaswani Kumar v/s Priyanka*', filed by the respondent-husband, stands transferred from the Family Court, Bahadurgarh, District Jhajjar to the Court of competent jurisdiction at Gurugram. The requisite record of the aforesaid case be sent by the Family Court, Bahadurgarh to the District and Sessions Judge, Gurugram.



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

29.05.2025

Sonu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No