



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

Sr. No.108

TA-345-2024

Date of Decision: 22.01.2025

BHARTI

....Applicant

Versus**RAVINDER SAINI**

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Rinki K. Singhania, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 13.01.2025.

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. HMA/553/2023, titled '*Ravinder Saini Vs. Bharti*', filed by the respondent-husband, pending in the Family Court, Jind and she seeks transfer of the same to the Court of competent jurisdiction at Rewari.

In pursuance of the notice issued, respondent did not make appearance and as such, he was 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 13.07.2016, but no child was born from the said wedlock. However, due to the matrimonial discord, the parties are residing separate. The applicant has filed the petition under Section 125 Cr.P.C., as well as the complaint under Section 12 of the Protection of Women from Domestic Violence Act, which are pending in the



Courts at Rewari and the respondent is making appearance in both the said cases. Also, it is submitted that the applicant is not working and as such, has no independent source of earning. In these circumstances, it is difficult for her to commute a distance of about 155 kilometres, to defend the divorce petition.

In view of the aforesaid fact situation and also 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, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/553/2023, titled '*Ravinder Saini Vs. Bharti*', filed by the respondent-husband, stands transferred from the Family Court, Jind, to the Court of competent jurisdiction at Rewari. The requisite record of the aforesaid case be sent by the Family Court, Jind, to the District and Sessions Judge, Rewari.

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

22.01.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No