



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

Sr. No.248**TA-309-2025****Date of Decision: 21.08.2025****SUMAN SAHARAN****....Applicant****Versus****VIJAY SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Nimanyu Gautam, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

Perusal of the paperbook reveals that on the last date of hearing, despite service, the respondent did not make appearance. 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. DMC/64/2024 titled '*Vijay Singh v/s Suman Saharan*', filed by the respondent-husband, pending in the Family Court, Sonapat and she seeks transfer of the same to the Court of competent jurisdiction at Panchkula.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties, had taken place on 26.09.2014 and one son born from the said wedlock, aged about 9 years, is in the care and custody of the applicant. On account of the matrimonial



dispute, the parties are residing separate. It is also submitted that at the time, when the applicant was turned out of the matrimonial house, she started living at Panchkula, where her parents were residing, who have now shifted to Flat No.301, Block-F, Royal Empire, Peer Muchhalla, Tehsil Derabassi, District SAS Nagar (Mohali). On this account, even the applicant along with her son, had shifted to the said address. The applicant has filed one petition under Section 125 Cr.P.C and complaint under Section 12 of Protection of Women from Domestic Violence Act, which are pending in the courts at Panchkula. Also, the applicant has got lodged an FIR No.140 of 2020 under Sections 323, 406, 420, 498/A IPC, wherein the challan has since been presented. In all the said cases, the respondent is making appearance. The applicant is stated to be working in private Bank in Panchkula, but however, on account of meagre earnings, it is difficult for her to commute a distance of about 207 kms to defend the divorce petition, more particularly, while taking care of the minor son.

In view of the mitigating circumstances pointed out aforesaid and more particularly, while three other litigation from the matrimonial dispute already pending in the courts at Panchkula and the fact that the applicant is taking care of the minor son and also taking into consideration the fact that the respondent having not come forward to resist the transfer application, the same is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/64/2024 titled '*Vijay Singh v/s Suman Saharan*', filed by the respondent-husband, stands transferred from the Family Court, Sonapat to the Court of competent jurisdiction at Panchkula. The requisite record of the aforesaid case be sent by the Family Court, Sonapat to the District and Sessions Judge, Panchkula.



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

21.08.2025
Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No