



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

Sr. No.239

**TA-404-2024 (O&M)
Date of Decision: 03.11.2025**

KOMAL RANI

....Applicant

Versus

ROHIT KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. B.S.Bhalla, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 18.07.2024 despite service, the respondent did not make appearance on that date. Even on the subsequent dates, he has not made appearance. Today also, the respondent 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 10 of the Hindu Marriage Act i.e. DMC/81/2024, titled '*Rohit Kumar v/s Komal Rani*', filed by the respondent-husband, pending in the Family Court, Bathinda and she seeks transfer of the same to the Court of competent jurisdiction at Moga.

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



14.07.2023, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning. She has also filed petition under Section 125 Cr.P.C. as well as petition under Section 12 of Protection of Women from Domestic Violence Act, which are pending in the courts at Moga and the respondent is making appearance in both the aforesaid cases. The distance between the two places is about 80 kms, though erroneously mentioned as 110 kms in the application.

In view of the aforesaid mitigating circumstances and considering the fact that the respondent having not come forward to resist the transfer application, while he himself is appearing in other two litigation arising from this matrimonial dispute, which are pending in the courts at Moga, the transfer application is allowed and the petition under Section 10 of the Hindu Marriage Act i.e. DMC/81/2024, titled '*Rohit Kumar v/s Komal Rani*', filed by the respondent-husband, stands transferred from the Family Court, Bathinda, to the Court of competent jurisdiction at Moga. The requisite record of the aforesaid case be sent by the Family Court, Bathinda, to the District and Sessions Judge, Moga.

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

03.11.2025

Sonu Saini

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No