



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222

TA-411-2024 (O&M)
Date of Decision: November 13, 2025

Priyanka Rathi
...Applicant

Versus

Kulwant Singh
...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.L.K.Gollen, Advocate
for the applicant.

Respondent proceeded against ex-parte.

ARCHANA PURI, J.

Applicant-wife has filed the present application for seeking transfer of the petition under Section 13 (1) (i) (a & b) of the Hindu Marriage Act, filed by respondent-husband, bearing No.HMA-1428-2022, titled ‘Kulwant Singh vs. Priyanka’, pending in the Family Court Gurugram, and she seeks transfer of the same to the Court of competent jurisdiction at Rewari.

In pursuance of the notice issued, none had made appearance on behalf of the respondent. As such, he was proceeded against ex-parte.

Counsel for the applicant heard.

At the very outset, it is submitted that marriage between the parties to the lis, had taken place on 10.03.2019. However, on account of matrimonial dispute, the applicant was driven out of the matrimonial home on 27.10.2019, when she was 7 months' pregnant. After the birth, the daughter is in the care and custody of the applicant. The applicant has no source of earning and she is dependent upon her parental family. She has filed petition under Section 125 Cr.P.C. as well as petition under Section 12 of the Protection of Women from Domestic Violence Act, which are pending in the Courts at Rewari. The respondent is making appearance in the maintenance petition. However, counsel submits that he is not aware of the status of the DV Act petition.

Besides the same, counsel also submits that the respondent is facing trial in a criminal case under Sections 406 and 498-A IPC, registered at Police Station Women, District Rewari, which is also pending in the Courts at Rewari. The distance between the two places is about 90 kms.

Considering the aforesaid constrained circumstances and above it, considering the fact of respondent not having come forward to resist the present application, the transfer application, as such, is hereby allowed and the petition under Section 13 (1) (i) (a & b) of the Hindu Marriage Act, filed by respondent-husband, bearing No.HMA-1428-2022, titled 'Kulwant Singh vs. Priyanka', stands transferred from the Family Court, Gurugram, to the Court of competent jurisdiction at Rewari. The requisite record of the aforesaid case be sent by the Family Court, Gurugram, 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.

November 13, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No