



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

Sr. No.205

TA-371-2025 (O&M)

Date of Decision: 25.07.2025

MONIKA

....Applicant

Versus

PURSHOTAM

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Applicant-in-person, along with Mr. Harsh Rana, Advocate.

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 (1) of the Hindu Marriage Act i.e. HMA-158-2022, titled '*Purshotam v/s Monika*', 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 Rohtak.

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 20.02.2018, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant is stated to be not working and as such, has no source of earning. She has filed petition under Section 125 of Cr.P.C., which was decided by the courts at



Rohtak and maintenance to the extent of Rs.20,000/- was fixed by the court. However, the same has not been paid till date. Even, the execution is pending before the Executing Court. Besides the same, the respondent is also facing trial in the courts at Rohtak, relating to the FIR No.167 under Sections 498-A, 406, 506, 354 A IPC. The applicant has also filed petition under Sections 12, 18, 19, 20 and 22 of Protection of Women from Domestic Violence Act, which is also pending in the courts at Rohtak and the respondent is pursuing the same. Also it is submitted that it is difficult for the applicant to commute a distance of about 63 kms to defend the petition under Section 13 (1) (i-a), (1)(i-b) of Hindu Marriage Act.

In view of the aforesaid submissions and taking into consideration the very fact of the respondent, not having come forward to resist the transfer application, more particularly, when the respondent is already pursuing two other cases in the courts at Rohtak, the transfer application is hereby allowed and the petition under Section 13 (1) (i-a), (1) (i-b) of the Hindu Marriage Act i.e. HMA-158-2022, titled '*Purshotam v/s Monika*', filed by the respondent-husband, stands transferred from the Family Court, Jind to the Court of competent jurisdiction at Rohtak. The requisite record of the aforesaid case be sent by the Family Court, Jind, to the District and Sessions Judge, Rohtak.

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

25.07.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	Yes/No