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

Sr. No.158**TA-390-2025****Date of Decision: 18.08.2025****SUNITA RANI ALIAS SANEH****....Applicant****Versus****SURESH KUMAR****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Vikas Bishnoi, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 13.08.2025.

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/192/2020, titled '*Suresh Kumar Vs. Sunita Rani @ Saneh*', filed by the respondent-husband, pending in the Family Court, Fatehabad and she seeks transfer of the same to the Court of competent jurisdiction at Sirsa.

Upon notice, the respondent did not make appearance, despite service and as such was proceeded against *ex parte*.

Counsel for the applicant heard.

At the very outset, it is submitted by the counsel for the



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applicant that the marriage between the parties to the lis, had taken place on 05.05.2001. From the said wedlock, one daughter was born, who is about 17 years old and is in the care and custody of the applicant. The applicant is uneducated and unemployed lady and as such, she has no source of earning. She is totally dependent upon her parental family. On account of this matrimonial dispute, the applicant has filed the petition under Sections 12, 18, 19, 20, 22 and 23 of the Protection of Women from Domestic Violence Act, which is pending in the Courts at Sirsa and the respondent is making appearance in the same. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 60 kilometres, to defend the divorce petition.

In view of the submissions aforesaid and taking into consideration the fact about the Courts generally leaning towards convenience of wife, in case of transfer applications relating to the matrimonial disputes, more particularly, considering the applicant to be having no source of earning and also taking care of the grown up girl; one case already pending in the courts at Sirsa, which is pursued by the respondent and also considering the fact about the respondent having not come forward to resist the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/192/2020, titled '*Suresh Kumar Vs. Sunita Rani @ Saneh*', filed by the respondent-husband, stands transferred from the Family Court, Fatehabad, to the Court of competent jurisdiction at Sirsa. The requisite record of the aforesaid case be sent by the Family Court, Fatehabad, to the District and Sessions Judge, Sirsa.



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

18.08.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No