

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

Sr. No.249

TA-434-2025

Date of Decision: 05.08.2025

AARTI

....Applicant

Versus

HARJINDER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Namit Khurana, Advocate
for the applicant.

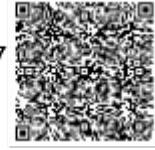
None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the order dated 22.05.2025, none had made appearance on behalf of the respondent, despite service. Even today, none has made appearance on his behalf. As such, 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 9 of Hindu Marriage Act i.e. HMA/270/2024 titled “Harjinder Singh v/s Aarti” filed by the respondent/husband, which is pending in the Family Court, Nakodar and she



seeks transfer of the same to the court of competent jurisdiction at Yamuna Nagar.

It is submitted by the counsel for the applicant that the marriage between the parties was solemnized on 01.03.2021 and one male child was born from this wedlock, who is aged about 02 years, is in the care and custody of the applicant. Also, it is submitted that the applicant has no independent source of earning. She is dependent upon her parental family. On account of matrimonial discord, the parties are residing separate. Even, she has filed the petition under Section 144 Bharatiya Nagarik Suraksha Sanhita and respondent is making appearance in the same. Besides the same, FIR was got registered against the respondent at Gandhi Nagar, District Yamuna Nagar and respondent is facing trial in the same. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 216 kms, (one side) to defend the petition filed under Section 9 of Hindu Marriage Act.

Keeping in view the aforesaid mitigating circumstances and more particularly, considering the fact about the respondent having not come forward to resist the transfer application, the same is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/270/2024 titled “Harjinder Singh v/s Aarti”, filed by the respondent-husband, stands transferred from the Family Court, Nakodar, to the Court of competent jurisdiction at Yamuna Nagar. The requisite record of the aforesaid case be sent by the Family Court, Nakodar to the District and Sessions Judge, Yamuna Nagar.



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

05.08.2025
Anu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No