



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

Sr. No.224**TA-439-2025****Date of Decision: 08.09.2025****SAPNA @ MANJU****....Applicant****Versus****DEEPAK****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Satpal Bhasin, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 14.05.2025, despite service, the respondent did not make appearance on that date. Even today, he 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 13 of the Hindu Marriage Act i.e. DMC/439/2024, titled '*Deepak Vs. Sapna*', filed by the respondent-husband, pending in the Family Court, Rohtak and she seeks transfer of the same to the Court of competent jurisdiction at Ganaur, District Sonapat.



It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 15.12.2017. Two children born from the said wedlock, who are about 3 years and 5 years old, are in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant is only 12th pass and has no source of earning. She along with her children is totally dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C. i.e. MNT/33/2024, which is pending in the Courts at Ganaur and the respondent is making appearance in the same. Besides the same, the respondent is facing trial in the Courts at Ganaur, relating to FIR bearing No.208 dated 23.08.2024, under Sections 323, 406, 498-A and 506 IPC, got lodged by the applicant at police Station HSIIDC Barhi, District Sonapat. The distance between the two places is alleged to be more than 75 kilometres.

Considering the aforesaid mitigating circumstances, more particularly, while the respondent has not come forward to resist the application and also taking into consideration the pending criminal case, wherein the respondent is required to make appearance, on each and every date of hearing, at Ganaur, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/439/2024, titled '*Deepak Vs. Sapna*', filed by the respondent-husband, stands transferred from the Family Court, Rohtak, to the Court of competent jurisdiction at Ganaur, District Sonapat. The requisite record of the aforesaid case be sent by the Family Court, Rohtak, to the District and Sessions Judge, Sonapat.



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

08.09.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No