



TA-441-2025

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

Sr. No.118

TA-441-2025

Date of Decision: 26.05.2025

ANURADHA

....Applicant

Versus

GULSHAN

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Rahul Jaswal, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 13.05.2025, 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*.

The counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e.



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DMC/893/2023, titled '*Gulshan Vs. Anuradha*', filed by the respondent-husband, pending in the Family Court, Sonapat and she seeks transfer of the same to the Court of competent jurisdiction at Panipat.

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 12.12.2018. One daughter born from the said wedlock, who is about 4 years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant is having no source of earning and as such, is dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., as well as the petition under Section 12 of the Protection of Women from Domestic Violence Act, which are pending in the Courts at Panipat and both the said cases are being pursued by the respondent. Besides the same, the challan has been presented in the Courts at Panipat, relating to FIR bearing No.92 dated 19.02.2024, under Sections 323, 34, 406, 498-A and 506 IPC, got registered by the applicant and the respondent is making appearance in the same also. The distance between the two places is stated to be 51 kilometres.

In view of the submissions aforesaid, it is pertinent to mention that the respondent has not come forward to resist the applicant. Considering the same and also considering the fact of the applicant not having any source of earning, more particularly, when she is taking care of the minor daughter born from the wedlock of the parties; fact of three other cases, arising from the matrimonial dispute, already pending in the Courts at



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Panipat, which are being pursued by the respondent, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/893/2023, titled '*Gulshan Vs. Anuradha*', filed by the respondent-husband, stands transferred from the Family Court, Sonapat, to the Court of competent jurisdiction at Panipat. The requisite record of the aforesaid case be sent by the Family Court, Sonapat, to the District and Sessions Judge, Panipat.

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

26.05.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No