



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

Sr. No.208**TA-487-2025****Date of Decision: 10.11.2025****BALWANT****....Applicant****Versus****GAGANDEEP****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Chetan Sharma, Advocate for
Mr. Deepak Girotra, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 17.09.2025, 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/82/2025, titled '*Gagandeep Vs. Balwant*', filed by the respondent-husband, pending in the Family Court, Panipat and she seeks transfer of the same to the Court of competent jurisdiction at Rohtak.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 20.01.2020. One son born



from the said wedlock, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Rohtak and the respondent is making appearance in the same. Even, the respondent is facing trial in the Courts at Rohtak, relating to FIR got lodged by the applicant. Besides the same, even the respondent is making appearance in the petition under the Protection of Women from Domestic Violence Act, filed at the instance of the applicant at Rohtak. In fact, the respondent has also filed two appeals against the interim orders, passed by learned trial Court, which are also pending in Rohtak.

Furthermore, it is submitted that earlier also, the respondent had filed the petition under Section 13 of the Hindu Marriage Act, in the Courts at Panipat. However, in pursuance of the transfer application i.e. TA-467-2022, filed by the applicant, the divorce petition was transferred to the Court of competent jurisdiction at Rohtak. In pursuance of transfer of the case, the respondent did not pursue the divorce petition and as such, the same was dismissed as withdrawn.

Considering the aforesaid circumstances, more particularly, considering the fact about the applicant taking care of the son, who is 4 years old, when she herself is not having any source of earning; fact of the respondent having not come forward to resist the application and also considering the fact of three other cases arising from this matrimonial dispute to be already pending in the Courts at Rohtak, in which the respondent is making appearance, more particularly, the criminal case, wherein he is required to make appearance on each and every date of



hearing, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/82/2025, titled ‘*Gagandeep Vs. Balwant*’, filed by the respondent-husband, stands transferred from the Family Court, Panipat, to the Court of competent jurisdiction at Rohtak. The requisite record of the aforesaid case be sent by the Family Court, Panipat, 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.

10.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No