



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

Sr. No.104

TA-501-2024

Date of Decision: 03.03.2025

SAVITA

....Applicant

Versus

SANDEEP AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Govind Arora, Advocate for
Mr. Arvinder Arora, Advocate
for the applicant.

None for the respondents.

ARCHANA PURI, J. (Oral)

The applicant has filed the present application for seeking transfer of the civil suit i.e. CS/580/2022, titled '*Sandeep and others Vs. Savita*', filed by the respondents, which is pending before the Courts at Yamuna Nagar and she seeks transfer of the same to the Court of competent jurisdiction at Naraingarh, District Ambala.

As observed in the order dated 18.12.2024, none had made appearance on behalf of the respondents, despite service. Even today, none has made appearance on their behalf. As such, the respondents are proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 03.03.2014, but no child was born from the said wedlock. However, on account of the matrimonial discord, the parties are residing separate. The applicant is not having any



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source of earning and her father has already died. As such, she is totally dependent upon her brother for the daily needs. On account of this matrimonial dispute, the applicant had got lodged an FIR bearing No.53 of 2015, under Sections 406, 498-A, 323 and 34 IPC, at Police Station Shahzadpur, District Ambala, wherein the respondent and his family members were acquitted and now, the appeal against the acquittal order has been filed by the applicant, which is pending in the Court of Additional District & Sessions Judge, Ambala. Even, the applicant had filed the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. DV/30/2015, which is pending in the Courts at Naraingarh. Even, the petition under Section 125 Cr.P.C. i.e. MNT/103/2015, filed by the applicant, had since been decided and the execution relating to the same, is pending in the Courts at Naraingarh. In all the aforesaid cases, the respondent is making appearance, but he is not making payment of the maintenance. As such, a prayer has been made for transfer of the civil suit.

In view of the aforesaid fact situation and also considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly, considering the fact about three other cases arising from the matrimonial dispute, to be already pending in the Courts at Naraingarh/Ambala, the transfer application is allowed and the civil suit i.e. CS/580/2022, titled '*Sandeep and others Vs. Savita*', filed by the respondent-husband, stands transferred from the Courts at Yamuna Nagar, to the Court of competent jurisdiction at Naraingarh, District Ambala. The requisite record of the aforesaid case be sent by Court concerned, to the District and Sessions Judge, Ambala.



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

03.03.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No