



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

Sr. No.221

TA-604-2024

Date of Decision: 03.12.2025

SAVITA

....Applicant

Versus

SANDEEP KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Mohit Kumar, Advocate
for the applicant.

Mr. Ashish Grewal, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

At this stage, counsel for the respondent submits that he does not intend to file reply to the transfer application, though he contest the same.

Counsel for the parties heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 (1) (i-a) (i-b) of the Hindu Marriage Act i.e. HMA/933/2022, titled '*Sandeep Kumar v/s Savita*', filed by the respondent-husband, pending in the Family Court, Yamunanagar and she seeks transfer of the same to the Family Court, Naraingarh, District Ambala.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties, had taken place on 03.03.2014 but no child was born from the said wedlock. On account of



matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and therefore, she had filed petition under Section 125 Cr.P.C., which was decided by the courts at Naraingarh and to challenge the same, an appeal was filed at the instance of the respondent, which is also pending in the courts at Ambala. The distance between the two places is stated to be 60 kms.

On the other hand, counsel for the respondent, though has not filed the reply, submits that it shall be difficult for the respondent also, in case the divorce petition is transferred. Also, it is submitted that the same is at the fag end.

On further query by the court, it is submitted that the applicant was earlier proceeded against *ex parte* and her evidence has already been recorded. It is alleged that the applicant had filed an application for setting aside of the *ex parte* proceedings. It is also submitted that this is the fifth application filed for setting aside of the *ex parte* proceedings.

In view of the submissions made by the counsel for the respondent, it is essential to note that no reply, as such, has been filed and any assertion now made, stands vitiated, as no material is brought on record. Considering the same and also taking into consideration the fact of the applicant not having any source of earning and other litigation arising from the matrimonial dispute, already pending in the courts at Ambala, which is the headquarter, the transfer application is allowed and the petition under Section 13 (1) (i-a) (i-b) of the Hindu Marriage Act i.e. HMA/933/2022, titled '*Sandeep Kumar v/s Savita*', filed by the respondent-husband, stands transferred from the Family Court, Yamunanagar, to

Family Court, Naraingarh, District Ambala. The requisite record of the



aforesaid case be sent by the Family Court, Yamunanagar, 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.

03.12.2025
Sonu Saini

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No