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

Sr. No.263

TA-509-2025

Date of Decision: 10.11.2025

DIMPY

....Applicant

Versus

GAURAV ARORA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Abhishek Sindhwani, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

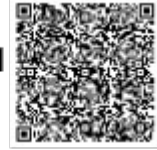
As per the observations made in the order dated 28.05.2025, despite service, the respondent did not make appearance on that date. Even today, he has not made appearance. As such, the respondent is proceeded against *ex parte*.

Counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/562/2024, titled '*Gaurav Arora Vs. Dimpy*', filed by the respondent-husband, pending in the Family Court, Jind and she seeks transfer of the same to the Court of competent jurisdiction at Hisar.

It is submitted by the counsel for the applicant that the marriage between the parties, had taken place on 03.05.2023. One son born from the said wedlock, who is about 1½ years old, is in the care and custody of the applicant. The applicant herself is working as a 'Dental Surgeon' at PHC

Nalwa, Village Nalwa, District Hisar. On account of her job exigencies, more



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particularly, while taking care of the minor child, it is difficult for the applicant, to commute a distance of about 75 kms., to defend the petition under Section 9 of the Hindu Marriage Act. Also, it is submitted that the applicant had filed the petition under Section 13 of the Hindu Marriage Act i.e. DMC/60/2025, which is pending in the Courts at Hisar and the respondent is making appearance in the same. Also, the respondent is facing trial in the Courts at Hisar, relating to FIR bearing No.28 dated 18.01.2025, under Sections 323, 406, 498-A and 506 IPC, got lodged by the applicant at Police Station Urban Estate, Hisar.

In view of the submissions aforesaid, it is pertinent to mention that even though, the applicant is working as a 'Dental Surgeon' at PHC Nalwa and thus, is bound to be financially independent, but however, it is pertinent to mention that the child born from the estranged marriage, who is about 1½ years old, is in the care and custody of the applicant. This is the most weighing factor to be considered in the backdrop of the respondent having not come forward to resist the application. Besides the same, two other cases, arising from this broken marriage, are pending in the Courts at Hisar, more particularly, the criminal case, wherein the respondent is required to make appearance on each and every date of hearing.

Considering the aforesaid facts and circumstances, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/562/2024, titled '*Gaurav Arora Vs. Dimpy*', filed by the respondent-husband, stands transferred from the Family Court, Jind, to the Court of competent jurisdiction at Hisar. The requisite record of the aforesaid case be sent by the Family Court, Jind, to the District and Sessions Judge, Hisar.

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Learned District and Sessions Judge, Hisar, shall assign the said petition to the Family Court, Hisar. Even, the parties are directed to appear before the Family Court, Hisar, 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