



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

Sr. No.102

TA-607-2023

Date of Decision: 06.05.2025

MANSI

....Applicant

Versus

GOVIND KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Gaurav Gupta, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 19.03.2025.

ARCHANA PURI, J. (Oral)

The applicant-Mansi has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/492/2022, titled '*Govind Kumar Vs. Mansi*', filed by the respondent-husband, pending in the Family Court, Jhajjar and she seeks transfer of the same to the Court of competent jurisdiction at Faridabad.

Upon notice, the respondent did not make appearance, despite service and as such, was proceeded against *ex parte*.

The counsel for the applicant heard.

At the very outset, it is submitted by the counsel for the



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applicant that the applicant is about 20 years of age and is totally dependent upon her parental family. It is asserted by the respondent in the petition under Section 9 of the Hindu Marriage Act, about the marriage having taken place between the parties to the lis, on 20.07.2021 and that no child was born from the said wedlock. In fact, it is submitted that no marriage, as such, had taken place between them. One complaint was filed by the applicant, before Police Station, NIT, Faridabad and thereupon, the matter was compromised and the respondent agreed to cooperate with the applicant, for cancellation of marriage certificate. However, he has subsequently filed the petition under Section 9 of the Hindu Marriage Act. The distance between Faridabad and Jhajjar, is about 120 kilometres. Considering the same, it is submitted that it is difficult for the applicant, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid, considering the fact that generally the Courts lean towards the convenience of wife in the transfer applications relating to the matrimonial disputes, more particularly, when the respondent has not come forward to resist the application; considering the fact of the applicant being only 20 years old and not having any source of earning; and also considering the distance between the two places, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/492/2022, titled '*Govind Kumar Vs. Mansi*', filed by the respondent, stands transferred from the Family Court, Jhajjar, to the Court of competent jurisdiction at Faridabad. The requisite record of the aforesaid case be sent by the Family Court, Jhajjar, to the District and Sessions Judge, Faridabad.



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

06.05.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No