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2025:PHHC:033489



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

Sr. No.204

TA-710-2024

Date of Decision: 10.03.2025

RAVINA

....Applicant

Versus

SANJAY

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Santosh Miglani, Advocate for
Ms. Aarti Sharma, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

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/92/2024, titled '*Ravina Vs. Sanjay*', filed by the respondent-husband, pending in the Family Court, Kaithal and she seeks transfer of the same to the Court of competent jurisdiction at Panipat.

As observed in the order dated 10.12.2024, none had made appearance on behalf of the respondent, despite service. Even today, none has made appearance on his behalf. As such, the respondent is 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 04.11.2014. Two children were born from the said wedlock on 27.07.2015 and 23.02.2019 and both of them are in the care and custody of the applicant. On account of the



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matrimonial discord, the parties are residing separate. The applicant is solely dependent upon her parental family for the upbringing of her children. Besides the petition under Section 9 of the Hindu Marriage Act, no other litigation is stated to be pending between the parties. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 80 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the aforesaid fact situation, considering the fact about the respondent having not come forward to contest the application and also considering the fact of both the children residing with the applicant, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/92/2024, titled '*Ravina Vs. Sanjay*', filed by the respondent-husband, stands transferred from the Family Court, Kaithal, to the Court of competent jurisdiction at Panipat. The requisite record of the aforesaid case be sent by the Family Court, Kaithal, to the District and Sessions Judge, Panipat.

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

(ARCHANA PURI)
JUDGE

10.03.2025
Himanshu

Whether speaking/reasoned : Yes

Whether reportable : Yes/No