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2025:PHHC:171371



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

Sr. No.204

TA-529-2025

Date of Decision: 09.12.2025

AMITA

....Applicant

Versus

AMANDEEP KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Surinder Garg, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 27.11.2025.

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/301/2024, titled '*Amandeep Kumar Vs. Amita*', filed by the respondent-husband, pending in the Family Court, Sri Muktsar Sahib and she seeks transfer of the same to the Court of competent jurisdiction at Faridkot.

In pursuance of notice issued, at first instance, though the respondent had made appearance through counsel, who had filed memorandum of appearance, but however, thereafter, he did not make appearance and as such, was proceeded against *ex parte*.

Counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage

between the parties to the lis, was solemnized on 06.07.2022. However, on



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account of the matrimonial dispute, the parties are residing separate. The daughter born from the estranged marriage, who is about 2 years old, is in the care and custody of the applicant. Also, it is submitted that the petition under Section 125 Cr.P.C., filed at the instance of the applicant, is pending in the Courts at Faridkot, at appearance stage. Furthermore, counsel submits that the petition under Section 13 of the Hindu Marriage Act i.e. HMA/301/2024, filed by the applicant, is also pending in the Courts at Faridkot and the respondent is making appearance in the same. The distance between the two places is stated to be about 45-50 kms.

On query by this Court, it is disclosed by the counsel that the applicant is not having any source of earning, though, it has not been specifically mentioned in the application.

In view of the submissions aforesaid, it is pertinent to mention that the child born from the estranged marriage, who is about 2 years old, is in the care and custody of the applicant, who herself has no source of earning. Even, two other litigations, arising from this broken marriage, are pending in the Courts at Faridkot and in the divorce petition, the respondent is making appearance. Above it, the respondent has not pursued the present application.

Keeping in view the aforesaid fact situation, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/301/2024, titled '*Amandeep Kumar Vs. Amita*', filed by the respondent-husband, stands transferred from the Family Court, Sri Muktsar Sahib, to the Court of competent jurisdiction at Faridkot. The



requisite record of the aforesaid case be sent by the Family Court, Sri Muktsar Sahib, to the District and Sessions Judge, Faridkot.

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

09.12.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No