



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

Sr. No.123**TA-623-2024****Date of Decision: 06.02.2025****SILOCHANA ALIAS SULOCHANA****....Applicant****Versus****JORAWAR NATH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Ms. Kyati Oberoi, Advocate for
Ms. Tejaswini, 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/121/2024 titled “Jorawar Nath v/s Sulochana”, filed by the respondent/husband, which is pending in the courts at Faridabad and she seeks transfer of the same to the court of competent jurisdiction at Kosli, Rewari.

In pursuance of notice issued, respondent had not made appearance. Even, on the last date of hearing, none had made appearance on behalf of the respondent. As such, respondent is proceeded against *ex parte*.

Counsel for the applicant heard.

It is submitted by the counsel for the applicant that marriage between the parties had taken place on 06.02.2022, but no child was born from the said wedlock. However, on account of matrimonial dispute, the parties are residing separate. It is also submitted that the marriage of the sister of the applicant had also taken place with the brother of the respondent and there is matrimonial dispute of her sister also.



It is further submitted that on account of matrimonial dispute, she has got lodged an FIR No.78 dated 07.09.2023 under Sections 323, 498 A, 406, 506, 34 IPC at Police Station Rohadai, District Rewari. Besides the same also, the applicant has filed one petition under Section 13 of Hindu Marriage Act, which is pending in Kosli, District Rewari and the respondent is making appearance in the same. The applicant is not working and in these circumstances, it is difficult for her to commute a distance of about 75 kms.

In view of the aforesaid fact situation and also considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/121/2024 titled “Jorawar Nath v/s Sulochana”, filed by the respondent/husband, stands transferred from the Family Court, Faridabad, to the Court of competent jurisdiction at Family Court (Camp Court) Kosli, District Rewari. The requisite record of the aforesaid case be sent by the Family Court, Faridabad, to the District and Sessions Judge, Rewari.

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

06.02.2025

Sonu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No