

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

Sr. No.234

TA-604-2025

Date of Decision: 17.10.2025

CHANCHAL

....Applicant

Versus

NITIN BANSAL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ajay Jain, Advocate
for the applicant.

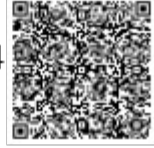
None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 01.10.2025, 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/528/2024, titled '*Nitin Bansal v/s Smt. Chanchal*', filed by the respondent-husband, pending in the Family Court, Fatehabad and she seeks transfer of the same to the Court of competent jurisdiction at Hisar.



At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 29.06.2020. One daughter born from the said wedlock, who is about 4 years old, is in the care and custody of the applicant. However, on account of the matrimonial dispute, the parties are residing separate. It is further submitted that earlier the petition under Section 13-B of Hindu Marriage Act, was filed and statements of first motion were recorded. However, prior to the recording of second motion statements, the respondent has filed an application for withdrawal of the consent and the same is pending adjudication in the courts at Hisar.

Also, it is submitted that the applicant is not doing any job and is totally dependent upon her parental family. She has filed complaint under Section 12 of Protection of Women from Domestic Violence Act, in which the respondent is facing trial in the courts at Hisar. Also, she has filed petition under Section 125 Cr.P.C., which is pending in the courts at Hisar and the same is at appearance stage. The distance between the two places is about 50 kms.

Considering the aforesaid constrained circumstances faced by the applicant, more particularly, considering the custody of the minor child to be with the applicant, who herself is not having any source of earning as well as the fact of respondent having backed out of the amicable settlement reached, for parting ways by way of filing of the petition under Section 13-B of Hindu Marriage Act and the fact that the respondent has not come forward to resist the transfer application, the same is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/528/2024, titled '*Nitin Bansal v/s Smt. Chanchal*', filed by the respondent-husband, stands transferred from the Family Court, Fatehabad, to the Court of competent



jurisdiction at Hisar. The requisite record of the aforesaid case be sent by the Family Court, Fatehabad, to the District and Sessions Judge, Hisar.

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.

17.10.2025
Sonu Saini

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No