



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

Sr. No.231

TA-697-2025 (O&M)

Date of Decision: 02.12.2025

NISHA

....Applicant

Versus

ATUL GAUTAM

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

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

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 28.08.2025, despite service, the respondent did not make appearance on that date. Even today, none had appeared on his behalf. 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 13 of the Hindu Marriage Act i.e. HMA/289/2023, titled '*Atul Gautam v/s Nisha*', filed by the respondent-husband, pending in the Family Court, Ferozepur and she seeks transfer of the same to the court of competent jurisdiction at Faridkot.

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 30.10.2020 and one daughter born from the said wedlock, is in the care and custody of the applicant. However, on account of the matrimonial dispute,



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the parties are residing separate. The applicant is not having any source of earning and has filed petition under Section 125 Cr.P.C. as well as petition under Section 12 of Protection of Women from Domestic Violence Act, which are pending in the courts at Faridkot and respondent is making appearance in both the said cases.

Considering the aforesaid submissions, more particularly, considering the fact of the applicant taking care of the minor daughter, while herself having no source of earning as well as the respondent having not come forward to resist the transfer application and also considering the fact about the other litigations arising from the matrimonial dispute, already pending in the courts at Faridkot, which are being pursued by the respondent, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/289/2023, titled '*Atul Gautam v/s Nisha*', filed by the respondent-husband, stands transferred from the Family Court, Ferozepur, to the Court of competent jurisdiction at Faridkot. The requisite record of the aforesaid case be sent by the Family Court, Ferozepur, 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.

02.12.2025

Sonu Saini

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No