



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

**Sr. No.113****TA-779-2024****Date of Decision: 24.04.2025****MONIKA****....Applicant****Versus****RAVI KAUSHIK****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Vikrant Rana, Advocate  
for the applicant.

None for the respondent.

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**ARCHANA PURI, J. (Oral)**

None has made appearance on behalf of the respondent.

Perusal of the paperbook reveals that the respondent had made appearance through counsel, for the first time, on 12.09.2024. Thereafter, despite availing several opportunities, the respondent did not make appearance off and on. Even, reply has not been filed. As such, the respondent is proceeded against *ex parte*.

The 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. DMC/1169/2023, titled '*Ravi Kaushik Vs. Monika*', filed by the respondent-



husband, pending in the Family Court, Hisar and she seeks transfer of the same to the Court of competent jurisdiction at Jhajjar.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 17.02.2023. One daughter born from the said wedlock, who is about 1 year old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant has no source of earning. Even, she has filed the petition under Section 125 Cr.P.C. i.e. MNT-125/312/2023, which is pending in the Family Court, Jhajjar and the respondent is already making appearance in the same. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 130 kilometres, to defend the divorce petition.

In view of the submissions aforesaid, considering the preference given by the Courts to the convenience of wife in the transfer applications relating to the matrimonial disputes, more particularly, when the respondent has not come forward to resist the application and also pursuing the petition under Section 125 Cr.P.C., which is pending in the Courts at Jhajjar, as well as taking into consideration the fact of the applicant not having any source of income and taking care of the minor daughter and also considering the distance between the two places, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/1169/2023, titled '*Ravi Kaushik Vs. Monika*', filed by the respondent-husband, stands transferred from the Family Court, Hisar, to the Court of competent jurisdiction at Jhajjar. The requisite record of the aforesaid case be sent by the Family Court, Hisar, to the District and Sessions Judge, Jhajjar.



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

24.04.2025  
Himanshu

(ARCHANA PURI)  
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No