



TA-809-2024

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

Sr. No.201**TA-809-2024****Date of Decision: 17.02.2025****KANCHAN ALIAS KANCHAN TAGRA****....Applicant****Versus****RAJ KUMAR****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Kuldeep Sheoran, 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 divorce petition i.e. DMC/108/2023 titled “*Raj Kumar v/s Kanchan*”, filed by the respondent/husband, which is pending in the courts at Meham, District Rohtak and she seeks transfer of the same to the court of competent jurisdiction at Narwana, District Jind.

As per observation made in the order dated 29.08.2024, none had made appearance on behalf of the respondent, despite service. Today also, none has made appearance on his behalf. As such, respondent is proceeded against *ex parte*.

Counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties was solemnized on 21.10.2015 and one daughter born from the said wedlock is presently in the care and custody of the respondent.

On account of matrimonial discord, the parties are residing separate. The applicant has filed petition under Section 125 Cr.P.C. i.e. MNT/39/2021



TA-809-2024

titled “*Kanchan v/s Raj Kumar*” which is pending in the courts Narwana and the respondent is making appearance in the same. Also, she has got lodged FIR No.107 dated 22.07.2021 under Sections 323, 34, 406, 498-A, 506 IPC, at Women Police Station, Jind, wherein the respondent is facing trial. The applicant has no source of earning and is dependent upon her parental family. It is also submitted that the parents of the applicant are not keeping good health and have several medical ailments. In the given circumstances, it is difficult for the applicant to commute a distance of about 98 kms, to defend the divorce petition.

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 divorce petition i.e. DMC/108/2023 titled “*Raj Kumar v/s Kanchan*”, filed by the respondent/husband, stands transferred from the Family Court Meham, District Rohtak, to the Court of competent jurisdiction at Narwana, District Jind. The requisite record of the aforesaid case be sent by the Family Court, Meham to the District and Sessions Judge, Jind.

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

(ARCHANA PURI)
JUDGE

17.02.2025
Sonu

Whether speaking/reasoned : Yes

Whether reportable : Yes/No