



TA-795-2025

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

Sr. No.207

TA-795-2025 (O&M)

Date of Decision: 04.12.2025

KAVITA

....Applicant

Versus

DEEPAK KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Abhishek Goyal, Advocate
for the applicant.

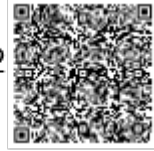
None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the previous order, despite service, respondent did not make appearance. 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/48/2024, titled '*Deepak Kumar Vs. Kavita*', filed by the respondent-husband, pending in the Family Court, Nuh and she seeks transfer of the same to the Court of competent jurisdiction at Faridabad.



It is submitted that the marriage between the parties had taken place on 26.02.2023, but no child was born from the said wedlock. On account of matrimonial dispute, the parties are residing separate. The applicant is unemployed and as such, has no source of earning. She is dependent upon her parental family. Even, she has filed three cases, on account of this estranged marriage. The petition under the Protection of Women from Domestic Violence Act, as well as the petition under Section 144 of Bharatiya Nagarik Suraksha Sanhita, are pending in the Courts at Faridabad and the respondent is making appearance in the same. Besides the same, the respondent is also facing trial in criminal case i.e. CHI/200/2025, under Sections 498A, 406, 323, 506 of IPC, which is also pending in the Courts at Faridabad. The distance between the two places is stated to be 86 kilometres.

Considering the constrained circumstances as stated aforesaid, and more particularly, the criminal case, wherein, the respondent is required to make appearance, on each and every date of hearing and above it, considering the fact of respondent not having come forward to resist the transfer application, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/48/2024, titled '*Deepak Kumar Vs. Kavita*', filed by the respondent-husband, stands transferred from the Family Court, Nuh, to the Court of competent jurisdiction at Faridabad. The requisite record of the aforesaid case be sent by the Family Court, Nuh, to the District and Sessions Judge, Faridabad.



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

04.12.2025
Preeti S.

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No