



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

Sr. No.204**TA-843-2024****Date of Decision: 22.04.2025****REENA****....Applicant****Versus****MANDEEP****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

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

None for the respondent.

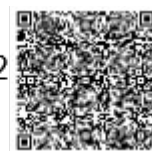
ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 10.02.2025, 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*.

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. HMA/640/2021, titled '*Mandeep Vs. Reena*', filed by the respondent-husband, pending in the Family Court, Jind and she seeks transfer of the same to the Court of competent jurisdiction at Bhiwani.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 15.02.2020. One daughter born from the said wedlock, who is about 3½ years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties



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are residing separate. The applicant is not having any source of earning. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Bhiwani. Besides the same, the respondent is facing trial in the Courts at Bhiwani, relating to FIR bearing No.159 dated 14.07.2021, under Sections 323, 406, 498-A and 506 IPC, got lodged by the applicant at Police Station Industrial Area, Bhiwani. Even, the applicant has filed the petition under Section 12 of the Protection of Women from Domestic Violence Act, which is also pending in the Courts at Bhiwani and the respondent is 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 90 kilometres, to defend the divorce petition, more particularly, while she is taking care of the minor daughter.

In view of the submissions aforesaid, considering the position of law about preference given to the convenience of the wife in the transfer applications relating to the matrimonial disputes, more particularly, when the respondent has not come forward to resist the application and considering the fact about the applicant having no source of earning, more specifically, when three cases arising from the matrimonial dispute are already pending in the Courts at Bhiwani, wherein the respondent is making appearance, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/640/2021, titled '*Mandeep Vs. Reena*', filed by the respondent-husband, stands transferred from the Family Court, Jind, to the Court of competent jurisdiction at Bhiwani. The requisite record of the aforesaid case be sent by the Family Court, Jind, to the District and Sessions Judge, Bhiwani.



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

22.04.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No