



TA-824-2025

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

Sr. No.116

TA-824-2025

Date of Decision: 23.12.2025

SONIA

....Applicant

Versus

RAKESH KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Aakash Juneja, Advocate
for the applicant
(through video conferencing).

Respondent proceeded against *ex parte*
vide order dated 11.11.2025.

ARCHANA PURI, J. (Oral)

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/345/2025, titled '*Rakesh Kumar Vs. Sonia*', filed by the respondent-husband, pending in the Family Court, Sonapat and she seeks transfer of the same to the Court of competent jurisdiction at Rohtak.

Upon notice issued, the respondent did not make appearance, despite service and as such, was proceeded against *ex parte*.

Counsel for the applicant heard.



It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 19.11.2019. One son born from the said wedlock, who is about 5 years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the applicant together with her son, is residing at her parental place. On query by this Court, it is disclosed by the counsel that the applicant is not having any source of earning. Even, she has filed the petition under Section 125 Cr.P.C. Counsel submits that interim maintenance to the extent of Rs.22,000/- was fixed by learned Family Court, but however, the said interim maintenance was paid only for one month and thereafter, the respondent has not paid any further maintenance. Further, it is submitted that the petition under Section 125 Cr.P.C., is still contested by the respondent in the Courts at Rohtak. Besides the same, the petition under the Protection of Women from Domestic Violence Act, filed by the applicant, is pending in the Courts at Rohtak and the respondent is pursuing the same also. The distance between the two places is stated to be about 50 kms.

In view of the submissions aforesaid, more particularly, considering the applicant to be not having any source of earning and taking care of the minor son, as well as fact of two litigations already pending in the Courts at Rohtak and considering the conduct of the respondent in not making payment of the interim maintenance, despite order passed by learned Family Court and above it, considering the fact about the respondent having not come forward to resist the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e.



TA-824-2025

DMC/345/2025, titled ‘*Rakesh Kumar Vs. Sonia*’, filed by the respondent-husband, stands transferred from the Family Court, Sonapat, to the Court of competent jurisdiction at Rohtak. The requisite record of the aforesaid case be sent by the Family Court, Sonapat, to the District and Sessions Judge, Rohtak.

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

23.12.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No