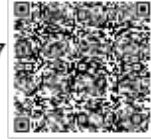


2025:PHHC:025497



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

TA-878-2024(O&M)

Date of Decision: February 21, 2025

Rita Rani

...Applicant

Versus

Deepak Kumar

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.A.S.Barnala, Advocate
for the applicant.

Respondent proceeded against ex-parte.

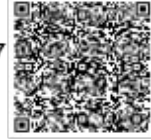
ARCHANA PURI, J.

The applicant-wife has filed the present application for seeking transfer of petition under Section 9 of the Hindu Marriage Act, filed at the instance of the respondent-husband, pending in Family Court (Camp Court) Amloh, District Fatehgarh Sahib and she seeks transfer of the same to the Court of competent jurisdiction at Patiala.

In pursuance of the notice issued, respondent did not make appearance. As such, he was proceeded against ex-parte.

Learned counsel for the applicant heard.

It is submitted by learned counsel for the applicant that the marriage between the parties to the lis, was performed on 12.12.2008.

**TA-878-2024****-2-**

Three children were born from the said wedlock (though in paragraph No.2 of the application, mention is made of two children, but the factum of three is evident from Annexure P-1) and children are in the care and custody of the applicant.

On account of matrimonial dispute, the applicant had filed a complaint under the Protection of Women from Domestic Violence Act, a petition under Section 125 Cr.P.C. and one complaint No.141/2023, filed at the instance of the applicant, are pending in the Courts at Patiala. Furthermore, it is submitted that a petition under the Guardian and Wards Act, has also been filed by the respondent, which is also pending in the Courts at Patiala. Besides the same, another application for seeking satisfaction of arrears of interim maintenance has also been filed by the application and the same is also pending in the Courts at Patiala.

Also, it is submitted that the applicant is not having any source of earning and is dependent upon her parental family. In the given circumstances, a prayer was made for acceptance of the transfer application.

In view of the aforesaid submissions, it is pertinent to mention that apart from petition under Section 9 of the Hindu Marriage Act, filed at the instance of the respondent, which is pending in the Courts at Amloh, there are four other cases, between the parties, which are pending in the Courts at Patiala. One case is the guardianship petition, filed at the instance of the respondent. The other cases are also pursued by the respondent in the Courts at Patiala.

Considering the same and more particularly, the applicant-wife,



who has no source of income, taking care of three minor children, the present transfer application, as such, is hereby accepted and petition bearing No.HMA-35-2022, titled as ‘Deepak Kumar vs. Reeta Rani’, filed under Section 9 of the Hindu Marriage Act, stands transferred from the Family Court (Camp Court), Amloh, to the Court of competent jurisdiction at Patiala. The requisite record of the aforesaid petition shall be transferred by the Family Court (Camp Court), Amloh, to District and Sessions Judge, Patiala.

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

February 21, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No