



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.231

TA-840-2025

Date of Decision: 30.10.2025

ANJALI

....Applicant

Versus

ABHAY

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Naresh Chhokar, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 18.08.2025, 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*.

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/963/2024, titled '*Abhay Vs. Anjali*', filed by the respondent-husband, pending in the Family Court, Gurugram and she seeks transfer of the same to the Court of competent jurisdiction at Faridabad.



It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 02.02.2021, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and as such, is dependent upon her parental family. She has got lodged an FIR bearing No.41 dated 10.04.2025, under Sections 113, 3(5), 316(2), 351(2) and 85 of the Bharatiya Nagarik Suraksha Sanhita, 2023, wherein challan has been presented and the same is pending in the Courts at Faridabad. The respondent is facing trial in the said case. Besides the same, also it is submitted that the maintenance petition i.e. MNT/2294/2025, is pending in the Courts at Faridabad and the respondent is making appearance in the same. Considering the same, it is submitted that distance between the two places is more than 50 kilometres. In the given circumstances, it is difficult for the applicant to defend the divorce petition.

In view of the mitigating circumstances, as pointed out aforesaid and also taking into consideration the fact of two other cases, arising from the matrimonial dispute, already being faced by the respondent in the Courts at Faridabad, 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. HMA/963/2024, titled '*Abhay Vs. Anjali*', filed by the respondent-husband, stands transferred from the Family Court, Gurugram, to the Court of competent jurisdiction at Faridabad. The requisite record of the aforesaid case be sent by the Family Court, Gurugram, to the District and Sessions Judge, Faridabad.



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.

30.10.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No