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2025:PHHC:153642



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

Sr. No.211

TA-942-2025

Date of Decision: 07.11.2025

KASTHI

....Applicant

Versus

SUNNY KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Gehna Vaishnavi, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per observation made in the order dated 14.10.2025, 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 9 of the Hindu Marriage Act i.e. HMA/165/2025, titled '*Sunny Kumar Vs. Kasthi*', filed by the respondent-husband, pending in the Family Court, Gurdaspur and she seeks transfer of the same to the Court of competent jurisdiction at Pathankot.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 23.11.2022. One daughter born from the said wedlock, is in the care and custody of the applicant, who



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herself is not having any source of earning and is dependent upon her parental family. Even, she has filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which is pending in the Courts at Pathankot, at appearance stage.

Considering the aforesaid mitigating circumstances, more particularly, the fact about the applicant taking care of the minor daughter, while herself not having any source of earning 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 9 of the Hindu Marriage Act i.e. HMA/165/2025, titled '*Sunny Kumar Vs. Kasthi*', filed by the respondent-husband, stands transferred from the Family Court, Gurdaspur, to the Court of competent jurisdiction at Pathankot. The requisite record of the aforesaid case be sent by the Family Court, Gurdaspur, to the District and Sessions Judge, Pathankot.

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

07.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No