



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

Sr. No.115

TA-1109-2024

Date of Decision: 10.03.2025

KAVITA

....Applicant

Versus

RAVINDER

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Omkar Chauhan, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

The present application has been filed by the applicant-wife, thereby seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/265/2022, titled '*Ravinder Vs. Kavita*', filed by the respondent-husband, pending in the Family Court (Camp Court) Gohana, District Sonipat and she seeks transfer of the same to the Court of competent jurisdiction at Panipat.

As observed in the order dated 06.03.2025, despite service, the respondent did not make appearance on the said date. Even, on the date prior to 06.03.2025 i.e. 12.12.2024, none had made appearance on behalf of the respondent. Even today, none has made appearance on his behalf. As such, the respondent is proceeded against *ex parte*.



Learned 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 19.10.2022, but no child was born from the said wedlock. However, on account of the matrimonial discord, the parties are residing separate. The applicant has no source of earning and is dependent upon her widow mother and brother. On account of the matrimonial dispute, the applicant has got lodged an FIR bearing No.71 dated 09.03.2023, under Sections 323, 34, 376, 498-A, 506 and 511 IPC, at Police Station Quilla, Panipat, relating to which the respondent is facing trial in the Courts at Panipat. Furthermore, she has filed the petition under Section 125 Cr.P.C. i.e. MNT/52/2023 and the petition under Section 12 of the Protection of Women from Domestic Violence Act, which are pending in the Courts at Panipat and the respondent is making appearance in the same. Also, it is submitted that the respondent is working as an ALM in the Electricity Department at Bichpari, Gohana.

Considering the aforesaid submissions, more particularly, considering the applicant to be having no source of earning and also considering the fact about three cases arising from the matrimonial dispute to be already pending in the Courts at Panipat, which are pursued by the respondent, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/265/2022, titled '*Ravinder Vs. Kavita*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Gohana, District Sonipat, to the Court of competent jurisdiction at Panipat. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Gohana, to the District and Sessions Judge, Panipat.



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

10.03.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No