



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

Sr. No.216

TA-1128-2024

Date of Decision: 08.05.2025

SMT. RENU

....Applicant

Versus

ANKIT GREWAL

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Pawan Kumar Hooda, Advocate
for the applicant.

None for the respondent, despite service.

ARCHANA PURI, J. (Oral)

Perusal of the order dated 11.12.2024 reveals that the respondent did not make appearance, despite service. Today also, none has made appearance on his behalf. 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(1) (ia) of the Hindu Marriage Act i.e. DMC-389-2024 titled '*Ankit Grewal vs Smt. Renu*', filed by the respondent-husband, pending in the Family Court, Bhiwani and she seeks transfer of the same to the Court of competent jurisdiction at Charkhi Dadri.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 28.11.2022 and one



daughter born from the said wedlock, was 09 months old at the time of the filing of the present application. However, the custody of the child was taken away by the respondent in mischievous manner. On this account, the applicant has filed petition under Section 25 of Guardians and Ward Act i.e. GW/28/2024. Besides the same, she has also filed petition under Section 125 Cr.P.C., petition under Section 9 of Hindu Marriage Act as well as petition under Section 12 of Protection of Women from Domestic Violence Act. All the said cases are pending before the Courts at Charkhi Dadri and the respondent is making appearance in the petition filed under Section 125 Cr.P.C. and petition under Section 9 of Hindu Marriage Act.

It is further submitted that the applicant is unemployed and as such, she is having no source of earning. She is residing at her parental place. In these circumstances, it is submitted that it is difficult for the applicant to defend the petition under Section 13(1) (ia) of the Hindu Marriage Act, pending in the Courts at Bhiwani.

In view of the submissions aforesaid and considering the fact that generally, the Courts give preference to the convenience of the wife in case of transfer applications relating to the matrimonial disputes, more particularly, when the respondent has not come forward to resist the application; considering the fact about the applicant, having no source of earning as well as considering the fact about four cases filed by the applicant, already pending in the Courts at Charkhi Dadri, the transfer application is allowed and the petition under Section 13(1) (ia) of the Hindu Marriage Act i.e. DMC-389-2024 titled '*Ankit Grewal vs Smt. Renu*', filed by the respondent-husband, stands transferred from the Family Court,



Bhiwani, to the Court of competent jurisdiction at Charkhi Dadri. The requisite record of the aforesaid case be sent by the Family Court, Bhiwani, to the District and Sessions Judge, Charkhi Dadri.

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

08.05.2025
Anu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No