



TA-1253-2024

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

Sr. No.206

TA-1253-2024

Date of Decision: 04.08.2025

RAJNI @ RAJNI RANI**....Applicant****Versus****SAHIL KUMAR****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. S.S. Sahu, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 28.03.2025, 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*.

The 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/41/2024, titled '*Sahil Kumar Vs. Rajni*', filed by the respondent-husband, pending in the Family Court, Hisar and she seeks transfer of the same to the Court of competent jurisdiction at Ratia, District Fatehabad.



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It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 27.07.2013. Two children were born from the said wedlock, one son and one daughter, are aged 10 years and 5½ years, respectively. They both are in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The respondent is facing trial of the criminal case, in the Courts at Ratia, relating to FIR bearing No.183 dated 21.06.2023, under Sections 323, 498-A, 506 and 34 IPC, got lodged by the applicant at Police Station City Ratia, District Fatehabad. Even, the applicant had filed the petition under the Protection of Women from Domestic Violence Act, which is also pending in the Courts at Ratia and the respondent is making appearance in the same. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 80 kilometres, to defend the divorce petition.

In view of the submissions aforesaid, more particularly, considering the fact about the respondent, having not come forward to resist the application and also considering the fact about the applicant taking care of the minor children born from the wedlock of the parties, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/41/2024, titled '*Sahil Kumar Vs. Rajni*', filed by the respondent-husband, stands transferred from the Family Court, Hisar, to the Court of competent jurisdiction at Ratia, District Fatehabad. The requisite record of the aforesaid case be sent by the Family Court, Hisar, to the District and Sessions Judge, Fatehabad.



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

04.08.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No