



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

Sr. No.131

TA-1258-2024

Date of Decision: 13.02.2025

KAJAL MIGLANI

....Applicant

Versus

ANMOL ARORA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Kashav Chadha, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 06.02.2025.

ARCHANA PURI, J. (Oral)

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/659/2024, titled '*Anmol Arora Vs. Kajal Miglani*', filed by the respondent-husband, pending in the Family Court, Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Jalandhar.

In pursuance of the notice issued, respondent did not make appearance and as such, was 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 22.03.2022. One son born from the said wedlock, is in the care and custody of the applicant. However, due to the matrimonial discord, the parties are residing separate. The applicant is not having any source of earning and is dependent upon her parental family. She has filed the petition under Section 144 of the



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Bharatiya Nagarik Suraksha Sanhita, 2023, which is pending in the Courts at Jalandhar and the respondent has already made appearance in the same. As such, a prayer has been made for acceptance of the transfer application.

Taking into consideration the aforesaid factual position and considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly, while she is taking care of the minor son and also considering the fact that the respondent has not come forth to contest the application and also considering the fact about another litigation between the parties to be pending at Jalandhar, which is pursued by the respondent, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/659/2024, titled '*Anmol Arora Vs. Kajal Miglani*', filed by the respondent-husband, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Jalandhar. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, to the District and Sessions Judge, Jalandhar.

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

13.02.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No