



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

Sr. No.123**TA-1285-2024****Date of Decision: 20.03.2025****SAGRIKA ALIAS GUDDU****....Applicant****Versus****SHUBHAM JUNEJA ALIAS MANU****....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Tarun Singla, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the previous order dated 17.12.2024, despite service, the respondent did not make appearance on that date. Even today, none has made appearance on his behalf. 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/249/2024, titled '*Shubham Juneja @ Manu Vs. Sagrika @ Guddu*', filed by the respondent-husband, pending in the Family Court, Sri Muktsar Sahib and she seeks transfer of the same to the Court of competent jurisdiction at Bathinda.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 21.03.2018. One son born from the said wedlock, who is about 6 years old, is in the care and custody



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of the applicant. The said son is studying in the school at Bathinda. On account of the matrimonial discord, the applicant has filed the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. COMA/1611/2023 and the same is still at the appearance stage and is fixed for munadi. Besides the same, the applicant has got lodged an FIR bearing No.60 dated 21.09.2023, under Section 498-A IPC, at Women Police Station, District Bathinda, which is pending investigation.

The applicant has no source of earning and is totally dependent upon her parental family, which is also not much affluent and thus, she has filed the maintenance petition i.e. MNT-125/135/2024. Therein also, the respondent is evading service and the case is fixed for appearance through munadi. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 50 kilometres, from the place of her residence, more particularly, while she is not having any source of earning and also taking care of the minor son.

In view of the submissions aforesaid, considering the fact about the respondent not having come forward to resist the application and also considering the fact about the applicant taking care of the minor son, while she is not having any source of earning herself, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/249/2024, titled '*Shubham Juneja @ Manu Vs. Sagrika @ Guddu*', filed by the respondent-husband, stands transferred from the Family Court, Sri Muktsar Sahib, to the Court of competent jurisdiction at Bathinda. The requisite record of the aforesaid case be sent by the Family Court, Sri Muktsar Sahib, to the District and Sessions Judge, Bathinda.



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

20.03.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No