



TA-1298-2024

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

Sr. No.128

TA-1298-2024

Date of Decision: 30.04.2025

POONAM KONAAL BHATTI**....Applicant****Versus****KONAAL BHATTI****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. A.K. Gupta, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

On the last date of hearing, despite service, the respondent did not make appearance. Today also, he has not made appearance. Even, reply has not been filed. Seemingly, the respondent is not interested to pursue the present application. Hence, he is proceeded against *ex parte*.

The counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the civil suit for mandatory injunction i.e. CS/10/2023, titled '*Konaal Bhatti Vs. Poonam Konaal Bhatti*', filed by the respondent-husband, which is pending in the Courts at Kharar and she seeks transfer of



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the same to the Court of competent jurisdiction at Patiala.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 17.02.2019, but no child was born from the said wedlock. However, there is a matrimonial dispute between the parties, as a result whereof, both the applicant, as well as the respondent, are indulging in multiple matrimonial litigation. The applicant has no source of earning. She has already filed the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. COMA/2115/2021, which is pending in the Courts at Patiala. Also, it is submitted that the respondent had filed a petition under Section 13 of the Hindu Marriage Act i.e. HMA/260/2021, in the Courts at SAS Nagar. However, on the basis of the transfer application i.e. TA-505-2021, filed by the applicant, said divorce petition was transferred to the Courts at Patiala, vide order dated 24.08.2021, copy whereof is Annexure P-2.

Further, it is submitted that since the applicant is not having any source of earning and thus, it is difficult for her to commute a distance of about 67 kilometres, to defend the civil suit, more particularly, when other litigation is already pending in the Courts at Patiala.

In view of the aforesaid fact situation, more particularly, when the respondent has not come forward to resist the application and also considering the fact about two cases arising from the matrimonial dispute, already pending in the Courts at Patiala, the transfer application is allowed and the civil suit i.e. CS/10/2023, titled '*Konaal Bhatti Vs. Poonam Konaal Bhatti*', filed by the respondent-husband, stands transferred from the Courts



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at Kharar, to the Court of competent jurisdiction at Patiala. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Kharar, to the District and Sessions Judge, Patiala.

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

30.04.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No