



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

Sr. No.203

TA-1306-2024

Date of Decision: 17.09.2025

NIKITA RANI

....Applicant

Versus

RAGHAV MITTAL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

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

None for the respondent.

ARCHANA PURI, J. (Oral)

Perusal of the paperbook reveals that though, the respondent had made appearance through counsel and had also filed reply, but however, none had made appearance on his behalf, on the last date of hearing. Even today, 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 of the Hindu Marriage Act i.e. HMA/516/2023, titled '*Raghav Mittal Vs. Nikita Rani*', filed by the respondent-husband, pending in the Family Court (Camp Court) Narwana, District Jind and she seeks transfer of the same to the Court of competent jurisdiction at Gurugram.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 03.11.2018. One daughter



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born from the said wedlock, who is about 4 years old, is in the care and custody of the applicant. Also, it is submitted that both the applicant and the respondent are working in Gurugram in Multi-National Company, but still the respondent had filed the divorce petition at his native place i.e. Narwana. However, on account of the matrimonial dispute, the applicant, as well as her daughter, are residing at her parental place in Gurugram. Relating to this dispute, the applicant had already filed the petition under the Protection of Women from Domestic Violence Act, as well as the petition under Section 125 Cr.P.C., which are pending in the Courts at Gurugram and the respondent is making appearance in the same. Even, the respondent is facing trial in the Courts at Gurugram, relating to FIR bearing No.82 dated 08.10.2022, under Sections 323, 34, 406, 498-A, 506 and 509 IPC, got lodged by the applicant at Women Police Station Manesar, District Gurugram. The distance between the two places is stated to be about 190 kilometres.

Even though, the respondent has not made appearance today, but however, from the contents of the reply filed, at his instance, it is evident that the respondent is not disputing about pursuing the three other cases, initiated at the instance of the applicant, in the Courts at Gurugram. Even, the fact of his being a working person in private company, is not disputed.

In view of the aforesaid mitigating circumstances, more particularly, taking into consideration the fact of minor child residing with the applicant, as well as three cases arising from this matrimonial dispute already pending in the Courts at Gurugram, which are being pursued by the respondent, more particularly, the criminal case and above all, taking into consideration the fact about the respondent, having not come forward to



resist the application, even though he had filed reply, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/516/2023, titled ‘*Raghav Mittal Vs. Nikita Rani*’, filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Narwana, District Jind, to the Court of competent jurisdiction at Gurugram. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Narwana, to the District and Sessions Judge, Gurugram.

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

17.09.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No