



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

Sr. No.201

TA-1359-2024

Date of Decision: 09.09.2025

RUKSHANA

....Applicant

Versus

SANJAY KHAN

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Nipun Bhardwaj, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

None has appeared on behalf of the respondent. Even reply has not been filed. 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/129/2024, titled '*Sanjay Kumar Vs. Rukshana*', filed by the respondent-husband, pending in the Family Court, Jind and she seeks transfer of the same to the Court of competent jurisdiction at Kaithal.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 16.02.2017. Even though, the marriage was performed as per Muslim rituals, but however, the petition for divorce has been filed, as per the Hindu Marriage Act. It is further submitted that one daughter was born from the said wedlock, who is about 4 years old at present and she is in the care and custody of the applicant.



TA-1359-2024

Furthermore, counsel submits that the applicant is not doing any work and she together with her daughter, is dependent upon her parental family. Also, it is submitted that there is no other litigation between the parties. The distance between the two places, where the divorce petition is pending and where it is sought to be transferred, is stated to be about 80 kilometres.

In view of the aforesaid mitigating circumstances, more particularly, considering the fact of the applicant, taking care of minor daughter, while herself having no source of earning and also considering the fact about the respondent, having not come forward to resist the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/129/2024, titled '*Sanjay Kumar Vs. Rukshana*', filed by the respondent-husband, stands transferred from the Family Court, Jind, to the Court of competent jurisdiction at Kaithal. The requisite record of the aforesaid case be sent by the Family Court, Jind, to the District and Sessions Judge, Kaithal.

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

09.09.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No