



TA-1405-2024

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

Sr. No.109

TA-1405-2024

Date of Decision: 07.11.2025

ANU ALIAS ANU MEHRA

....Applicant

Versus

SUSHIL KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Navyug Geet Brar, Advocate for
Ms. Naseem A. Sheikh, Advocate
for the applicant.

Ms. Sweta Chauahl, Advocate for
Mr. Akbarjit Singh, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/49/2024, titled '*Sushil Kumar Vs. Anu*', filed by the respondent-husband, pending in the Family Court, Jalandhar and she seeks transfer of the same to the Court of competent jurisdiction at SBS Nagar.

In pursuance of notice issued, the respondent made appearance through counsel. Even though, several opportunities were granted to file reply, but however, despite last opportunity having been granted, the respondent failed to file reply.

Counsel for the parties heard.



It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 09.04.2022, but no child was born from the said wedlock. The applicant had accompanied the respondent to Dubai, but however, on account of the matrimonial dispute, the parties are now residing separate. The applicant is not having any source of earning and as such, she is dependent upon her aged parents and living with them at Nawanshahr. The distance between the two places is about 120 kms.

On the other hand, counsel appearing on behalf of the respondent though, has not filed the reply, but however, she submits that respondent's attorney holder is his father and therefore, inconvenience will be caused to him.

In view of the submissions aforesaid, it is pertinent to mention that the respondent himself is residing at Dubai. The divorce petition has been filed through his father. May it be so. The convenience of the attorney holder cannot be placed above the convenience of the wife, who is not having any source of earning. On query by this Court, it is disclosed by the counsel for the respondent, that till date, no maintenance, at any stage, has been paid by the respondent, to the applicant.

In view of the aforesaid fact situation and also considering the distance between the two places to be about 120 kms., the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/49/2024, titled '*Sushil Kumar Vs. Anu*', filed by the respondent-husband, stands transferred from the Family Court, Jalandhar, to the Court of competent jurisdiction at SBS Nagar. The requisite record of



TA-1405-2024

the aforesaid case be sent by the Family Court, Jalandhar, to the District and Sessions Judge, SBS Nagar.

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

07.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No