



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

Sr. No.101

TA-1444-2024

Date of Decision: 26.11.2025

NEHA RANI AND ANOTHER

....Applicants

Versus

**MANOJ KUMAR ALIAS MANOJ GOEL ALIAS MANOJ GOYAL
AND OTHERS**

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Gehna Vaishnavi, Advocate
for the applicants.

Respondents proceeded against *ex parte*
vide order dated 07.08.2025.

ARCHANA PURI, J. (Oral)

The applicant No.1/wife/mother, along with her daughter, has filed the present application for seeking transfer of the civil suit i.e. CS/224/2024, titled '*Neha and another Vs. Manoj Kumar @ Manoj Goel and others*', pending in the Courts at Kalka, District Panchkula and she seeks transfer of the same to the Court of competent jurisdiction at Chandigarh.

In pursuance of notice issued, the respondents did not make appearance, despite service and as such, were proceeded against *ex parte*.

Counsel for the applicant heard.

At the very outset, it is submitted by the counsel for the applicants that the marriage of applicant No.1 had taken place with respondent No.1, on 25.04.2021. One girl child i.e. applicant No.2, was



born from the said wedlock on 21.01.2022 and she is presently in the care and custody of the applicant. However, on account of the matrimonial dispute, the parties are residing separate. The applicant No.1, along with her daughter, is dependent upon her parental family. The applicant No.1 is not having any source of earning. Even, she has filed various litigations, against the respondent, which are pending in the Courts at Chandigarh. In this regard, counsel for the applicants makes reference to paragraph No.10 of the application, wherein the detail of the litigations pending between the parties, is given. Respondent No.1 is making appearance in the aforesaid cases, which are pending in the Courts at Chandigarh. It is submitted that to assert her right, over the property of respondent No.1, the applicant No.1 has filed a civil suit at Kalka, copy whereof is Annexure P-1. However, it is submitted that in the said suit, the respondent is not making appearance and as such, has been proceeded against *ex parte*. In this regard, counsel has drawn the attention of this Court to Annexure A-2, copy of the order passed by learned trial Court.

In the given circumstances, it is submitted that while taking care of the minor daughter, it is difficult for applicant No.1, to commute a distance of about 30 kms. also, to pursue the civil suit, more particularly, when respondent No.1 himself, has been proceeded against *ex parte*, in the said litigation, whereas, he is making appearance in all the litigations, which are pending between the parties, in the Courts at Chandigarh.

Considering the aforesaid circumstances, more particularly, taking note of the litigations mentioned in paragraph No.10 of the application, initiated on account of matrimonial dispute, which are pending



in the Courts at Chandigarh and which are pursued by respondent No.1, as well as, considering the fact of the applicant taking care of the minor daughter, while she herself is not having any source of earning and above it, considering the fact about the respondents having not come forward to resist the application, the transfer application is allowed and the civil suit i.e. CS/224/2024, titled ‘*Neha and another Vs. Manoj Kumar @ Manoj Goel and others*’, stands transferred from the Courts at Kalka, District Panchkula, to the Court of competent jurisdiction at Chandigarh. The requisite record of the aforesaid case be sent by the Court concerned, to the District and Sessions Judge, Chandigarh.

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

26.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No