

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

Sr. No.114

TA-1489-2024

Date of Decision: 24.03.2025

SUDESH KUMARI ALIAS SUDESH**....Applicant****Versus****MONU****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. H.S. Dhillon, Advocate
for the applicant.

None for the respondent.

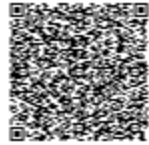
ARCHANA PURI, J. (Oral)

As observed in the order dated 19.12.2024, despite service, the respondent did not make appearance, on that date. Even today, none has made appearance on his behalf. As such, the respondent is proceeded against *ex parte*.

The counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. DMC/10/2023, titled '*Monu Vs. Sudesh*', filed by the respondent-husband, pending in the Family Court (Camp Court) Hansi, District Hisar and she seeks transfer of the same to the Court of competent jurisdiction at Pehowa, District Kurukshetra.

It is submitted by the counsel for the applicant that the marriage of the applicant with the respondent, had taken place on 14.03.2021, but no child was born from the said wedlock. The applicant, as well as her elder



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sister-Radha Rani, were married to two brothers and both the sisters are having the matrimonial dispute. The applicant is not having any source of earning and as such, she is totally dependent upon her parental family. Also, it is submitted that the respondent is already facing trial in the case bearing FIR No.180 dated 02.05.2022, under Sections 406, 498-A and 506 IPC, got registered by the applicant at Police Station Pehowa, District Kurukshetra, in the Courts at Pehowa. Besides the same, also it is submitted that the applicant has filed the petition under Section 125 Cr.P.C., which is also pending in the Courts at Pehowa and the respondent has also made appearance in the same. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 152 kilometres to defend the petition under Section 9 of the Hindu Marriage Act.

Considering the submissions aforesaid and also considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly, considering the fact about the respondent having not come forward to resist the application and also considering the distance between the two stations, as well as the fact of two other litigations already pending against the respondent in the Courts at Pehowa, which are being pursued by him, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/10/2023, titled '*Monu Vs. Sudesh*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Hansi, District Hisar, to the Court of competent jurisdiction at Pehowa, District Kurukshetra. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Hansi, to the District and Sessions Judge, Kurukshetra.



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

24.03.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No