



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

Sr. No.208

TA-1604-2024

Date of Decision: 08.04.2025

AMAN

....Applicant

Versus

DAVINDER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Manpreet, Advocate for
Mr. Siddarth, Advocate
for the applicant.

None for the respondent.

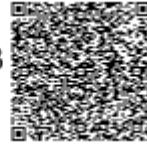
ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 19.03.2025, despite service, the respondent did not make appearance on that date. Even today, he has not made appearance. 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, titled '*Davinder Singh Vs. Aman*', filed by the respondent-husband, pending in the Family Court, Panipat and she seeks transfer of the same to the Court of competent jurisdiction at Shahabad, District Kurukshetra.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 21.04.2013. Two children born from the said wedlock, who are 7 years old and 3 years old, are in the care and custody of the applicant. On account of the matrimonial dispute,



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the parties are residing separate. The applicant is not having any source of earning and is dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Shahabad. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 92 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid, considering the fact about the respondent having not come forward to resist the application, considering the fact of one litigation arising from the matrimonial dispute, already pending in the Courts at Shahabad and also taking into consideration the fact of the applicant taking care of two minor children, more particularly, while she is not having any source of earning, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act, titled '*Davinder Singh Vs. Aman*', filed by the respondent-husband, stands transferred from the Family Court, Panipat, to the Court of competent jurisdiction at Shahabad, District Kurukshetra. The requisite record of the aforesaid case be sent by the Family Court, Panipat, to the District and Sessions Judge, Kurukshetra.

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

08.04.2025

Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No