



TA-1627-2024

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

Sr. No.111

TA-1627-2024

Date of Decision: 05.09.2025

ARPANA

....Applicant

Versus

ANIL KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. N.P. Bhardwaj, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 08.07.2025, 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*.

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. HMA/1892/2024, titled '*Anil Kumar Vs. Arpana*', filed by the respondent-husband, pending in the Family Court, Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Ambala.

It is submitted by the counsel for the applicant that the marriage



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between the parties to the lis, had taken place on 12.11.2021. One son born from the said wedlock, who is about 2 years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant had filed the petition under the Protection of Women from Domestic Violence Act i.e. DV/77/2024, as well as petition under Section 125 Cr.P.C. i.e. MNT/99/2024, which are pending in the Courts at Ambala and the respondent is making appearance in the same. Besides the same, also the respondent has filed the guardianship petition i.e. GW/54/2024, which is also pending in the Courts at Ambala. The applicant herself is not doing any work. The distance between the two places is stated to be about 118 kilometres. In the given circumstances, it is submitted that it is difficult for the applicant, to defend the petition under Section 9 of the Hindu Marriage Act, filed at the instance of the respondent.

In view of the aforesaid mitigating circumstances, more particularly, considering the fact about the applicant taking care of the minor son, while herself having no source of earning; three cases arising from the matrimonial dispute already pending in the Courts at Ambala and the respondent pursuing the same and above all, considering the fact about the respondent having not come forward to resist the application, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/1892/2024, titled '*Anil Kumar Vs. Arpana*', filed by the respondent-husband, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Ambala. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, to the District and Sessions Judge, Ambala.



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

05.09.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No