



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

Sr. No.208**TA-1680-2024****Date of Decision: 13.05.2025****SAPNA****....Applicant****Versus****MANJEET****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Sachin Kaushik, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 21.03.2025, 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 11 of the Hindu Marriage Act i.e. HMA/22/2024, titled '*Manjeet Vs. Sapna*', filed by the respondent-husband, pending in the Family Court, Rohtak and she seeks transfer of the same to the Court of competent jurisdiction at Gohana, District Sonapat.



It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 10.05.2023, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. Also, it is pointed out that the distance between the two places is 60 kilometres. There is stated to be no other litigation pending between the parties.

In view of the submissions aforesaid, it is pertinent to mention that though, generally the Courts lean towards the convenience of wife in case of transfer applications relating to the matrimonial disputes, but however, it is not a thumb rule. Various other circumstances also ought to be taken into consideration. In the case in hand, there is no child born from the said wedlock. Even though, in the application, the distance between the two places is stated to be 60 kilometres, but as checked from the internet, the same is about 34 kilometres only. Also, there is no other litigation pending between the parties.

Considering the aforesaid circumstances, the distance in itself is not such, which weighs the mind of this Court to accept the transfer application. Considering there to be no mitigating circumstance, the present transfer application is hereby dismissed.

13.05.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No