



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

Sr. No.109

**TA-104-2025 (O&M)
Date of Decision: 06.03.2026**

ANURADHA

....Applicant

Versus

RAHUL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sanjeev Majra, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 18.11.2025.

ARCHANA PURI, J. (Oral)

CM-3279-CII-2026

The present application has been filed at the behest of the applicant, for placing on record affidavit of the applicant, with regard to vocation (if any) followed by her.

In view of the averments made in the application, same is allowed and the requisite affidavit is taken on record.

Main case

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/727/2023, titled ‘Rahul Vs. Anuradha’, filed by the respondent-husband, pending in the Family Court (Camp Court) Assandh, District



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Karnal and she seeks transfer of the same to the Court of competent jurisdiction at Panipat.

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

Counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 19.01.2022, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is residing at her parental place and as such, is dependent upon them. She is not having any source of earning. Further, it is submitted that on account of this broken marriage, the respondent is facing trial in the Courts at Panipat, relating to FIR bearing No.445 dated 29.10.2022, under Sections 323, 376, 406, 498-A, 511 and 34 of IPC, got lodged by the applicant at Police Station Sector 13-17, Panipat. Besides the same, the respondent is making appearance in the petition under the Protection of Women from Domestic Violence Act, as well as the maintenance petition, filed by the applicant, which are pending in the Courts at Panipat. The distance between the two places is stated to be about 45 kms.

In view of the submissions aforesaid, it is pertinent to mention that distance between the two places, where the litigation is pending and where it is sought to be transferred, is one of the factors, which ought to be taken into consideration. Besides the same, other factors also need to be considered by the Court. In the case in hand, the most weighing and relevant factor is about the applicant to be not having any source of earning



and as such, being dependent upon her parental family. Even, three other cases, arising from this matrimonial dispute, are already pending in the Courts at Panipat, wherein he is already making appearnce, more particularly, the criminal case, wherein he is required to make appearance on each and every date of hearing.

In view of the aforesaid fact situation, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/727/2023, titled ‘*Rahul Vs. Anuradha*’, filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Assandh, District Karnal, to the Court of competent jurisdiction at Panipat. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Assandh, to the District and Sessions Judge, Panipat.

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

06.03.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No