



TA-1026-2025 AND TA-1039-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.246 (2 cases)

Date of Decision: 05.02.2026

1. TA-1026-2025

NEELAM

....Applicant

Versus

ANIL KUMAR

.....Respondent

2. TA-1039-2025

NEELAM

....Applicant

Versus

ANIL KUMAR AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Shivani Jaglan, Advocate
for the applicant (in both the cases).

None for the contesting respondent (in both the cases).

**ARCHANA PURI, J. (Oral)**

These are two applications, filed by Neelam-applicant/wife, for seeking transfer of the litigation, pending between the estranged couple.

As per the observations made in the order dated 04.12.2025 (in TA-1026-2025), summons were received back with the report that '*trial Court counsel refused to accept the summons*'. This amounts to the service in the said application being complete. However, as per observations made in the order of the even date (in TA-1039-2025), summons sent for service of respondent No.1, who is the sole contesting respondent, were received back with the report that '*he had been informed telephonically and summons were sent to him on whatsapp*'. Despite the same, the respondent had not made appearance in both the applications, on 04.12.2025. Even today, he has not made appearance. As such, the respondent is proceeded against *ex parte*.

Counsel for the applicant in both the applications, heard.

TA-1026-2025 has been filed, for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/232/2025, titled '*Anil Kumar Vs. Neelam*'.

TA-1039-2025 has been filed, for seeking transfer of the civil suit i.e. CS/606/2025, titled '*Anil Kumar Vs. Neelam and others*'.

Both the aforesaid cases are filed by the respondent/husband, which are pending in the Courts at Bhiwani and the applicant seeks transfer of the same to the Court of competent jurisdiction at Rohtak.



It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 22.11.2007. Two children born from the said wedlock, who are in the age group of 11-17 years, are in the care and custody of the applicant. They are students of 11th and 7th class. The applicant has no source of earning. Also, it is submitted that the applicant has filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as well as the petition under the Protection of Women from Domestic Violence Act i.e. DV/103/2025, which are pending in the Courts at Rohtak, at appearance stage. Further, it is submitted that the civil suit has been filed by the respondent, which is pending in the Courts at Bhiwani and the applicant has sought transfer of the same to Rohtak, vide TA-1039-2025.

In view of the submissions aforesaid, it is pertinent to mention that two children, born from the estranged marriage, are in the custody of the applicant. They are of young age and are also undergoing school at Rohtak. Also, the applicant is not having any source of earning.

In view of the aforesaid fact situation and above it, considering the fact about the respondent having not come forward to resist the applications, both the transfer applications i.e. TA-1026-2025 and TA-1039-2025, are hereby allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/232/2025, titled '*Anil Kumar Vs. Neelam*', as well as the civil suit i.e. CS/606/2025, titled '*Anil Kumar Vs. Neelam and others*', filed by the respondent-husband, stands transferred from the Courts at Bhiwani, to the Court of competent jurisdiction at Rohtak. The requisite



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record of the aforesaid cases be sent by the Courts concerned at Bhiwani, to the District and Sessions Judge, Rohtak.

Learned District and Sessions Judge, Rohtak, shall assign the said cases, to the Courts of competent jurisdiction at Rohtak. Even, the parties are directed to appear before the concerned Court(s), within a period of one month from today onwards.

05.02.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No