

TA-1086-2025

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2026:PHHC:025436



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

Sr. No.232

TA-1086-2025

Date of Decision: 18.02.2026

KANCHAN SHARMA

....Applicant

Versus

VARINDER KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. G.S. Gill, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 15.01.2026, 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/247/2023, titled '*Varinder Kumar Vs. Kanchan*', filed by the respondent-husband, pending in the Family Court, Malkerkotla and she



seeks transfer of the same to the Court of competent jurisdiction at Samrala, District Ludhiana.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 27.01.2013. Two sons were born from the said wedlock, who are in the age group of 4-12 years and they are in the care and custody of the applicant. The applicant is not having any source of earning and as such, she, together with her sons, is dependent upon her parental family. The applicant has filed the petition under the Protection of Women from Domestic Violence Act i.e. COMA/6/2024, which is pending in the Courts at Samrala and the respondent is making appearance in the same. The distance between the two places is stated to be about 70 kms.

In view of the submissions aforesaid, more particularly, considering the fact of the applicant, not having any source of earning and yet, taking care of two children born from the broken marriage; fact of one other litigation already pending in the Courts at Samrala, which is pursued by the respondent and above it, 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/247/2023, titled '*Varinder Kumar Vs. Kanchan*', filed by the respondent-husband, stands transferred from the Family Court, Malerkotla, to the Court of competent jurisdiction at Samrala, District Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Malerkotla, to the District and Sessions Judge, Ludhiana.



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

18.02.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No