



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

**Sr. No.113**

**TA-1120-2025 (O&M)  
Date of Decision: 18.02.2026**

**SHIVANI CHAUDHARY**

**....Applicant**

**Versus**

**VIKAS PRUTHI**

**.....Respondent**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

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

Mr. Arpan Sabharwal, Advocate  
for the respondent.

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

**CM-17583-CII-2025**

Keeping in view the averments made in the application, same is  
allowed.

**Main case**

The applicant-wife has filed the present application for seeking  
transfer of the petition under Section 5, 11 and 12 of the Hindu Marriage Act  
i.e. HMA/1328/2024, titled '*Vikas Pruthi Vs. Shivani Chaudhary*', 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 Patiala.

In pursuance of notice issued, the respondent made appearance  
through counsel and filed reply.



Counsel for the parties heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 27.05.2023, but no child was born from the said wedlock. Unfortunately, matrimonial dispute arose between the parties, as a result whereof, they are residing separate. The applicant is not having any source of earning and as such, is dependent upon her parental family. She has filed the petition under Section 9 of the Hindu Marriage Act, which is pending in the Courts at Patiala and the respondent, despite service, had not made appearance in the same and as such, was proceeded against *ex parte*. The said case is now pending for recording of *ex parte* evidence. Furthermore, it is submitted that the distance between the two places is about 100 kms.

On the other hand, counsel for the respondent, while making reference to the reply, submits that the distance is not such, which causes inconvenience to the applicant, to such an extent, which calls for transfer of the case. Furthermore, it is submitted that it shall be too harsh for the respondent also to pursue the litigation, if the transfer application is accepted. Also, it is submitted that the applicant always has an option to make appearance through virtual mode.

In view of the submissions aforesaid, it is pertinent to mention that the applicant is not having any source of earning and is dependent upon her parental family. Though, no child is born from the estranged marriage, but however, the aforesaid fact of paucity of funds with the applicant, ought to be considered, more particularly, when another case, arising from the broken marriage, is already pending in the Courts at Patiala, wherein the



respondent, despite service, had not pursued the same and has been proceeded against *ex parte*.

In view of the aforesaid fact situation and looking at the conduct of the respondent and also considering the constrained circumstances, faced by the applicant and also taking into consideration the distance between the two places, the transfer application is allowed and the petition under Section 5, 11 and 12 of the Hindu Marriage Act i.e. HMA/1328/2024, titled ‘*Vikas Pruthi Vs. Shivani Chaudhary*’, filed by the respondent-husband, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Patiala. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, to the District and Sessions Judge, Patiala.

Learned District and Sessions Judge, Patiala, shall assign the said petition to the Family Court, Patiala. Even, the parties are directed to appear before the Family Court, Patiala, 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