



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

Sr. No.206

**TA-1646-2025 (O&M)
Date of Decision: 17.02.2026**

RASHI

....Applicant

Versus

SAHIL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. S.K.Verma, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the previous order, despite service, the respondent did not make appearance, on that date. Even today, he has not made appearance. As such, 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/1133/2025, titled '*Sahil v/s Rashi*', filed by the respondent-husband, pending in the Family Court, Ambala and she seeks transfer of the same to the Court of competent jurisdiction at Jind.

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 06.03.2025, but no child was born from the said wedlock. Unfortunately, on account of the matrimonial dispute, the parties are residing separate. The



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applicant is not having any source of earning. Even though, the applicant is M.Sc. (B.Ed.) in mathematics and has been qualified HTET and CTET, but however, she was working as Maths teacher, before her marriage and thereafter, she had left the said job, on account of her marriage. Also, it is submitted that at the time of filing of the transfer application, one complaint at the instance of the applicant was filed at Women Police Station, Jind. On the basis whereof, FIR No. 0005 dated 10.01.2026 under Section 3 (5), 316 (2), 351 (3) and 85 of BNS, was got registered. The distance between the two places is stated to be 136 kms.

In view of the submissions aforesaid, it is pertinent to mention that while considering the transfer application, relating to matrimonial disputes, various circumstances ought to be taken into consideration. There is no formula of universal application, which is required to be applied, while considering the transfer application. Each case has to be decided on its own factual background.

In the case in hand, even though, the applicant is an educated woman, who was working as Maths teacher earlier, but however, on account of her marriage, she had left her job and at present, she is not having any source of earning. She has also got lodged an FIR against the respondent at Women Police Station, Jind. The distance between the two places is stated to be 136 kms. However, there is no child born from the wedlock of the parties.

Even if it be so, considering the fact of the applicant not having any source of earning and also the distance between the two places and above it, the respondent having not come forward to resist the transfer



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application, the same is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/1133/2025, titled '*Sahil v/s Rashi*', filed by the respondent-husband, stands transferred from the Family Court, Ambala, to the Court of competent jurisdiction at Jind. The requisite record of the aforesaid case be sent by the Family Court, Ambala, to the District and Sessions Judge, Jind.

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

17.02.2026

Sonu Saini

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No