



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

Sr. No.105

TA-1727-2025

Date of Decision: 10.04.2026

UPASANA PASSI

....Applicant

Versus

HEMANT PASSI

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. J.S. Ghumman, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 20.03.2026.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/195/2024, titled '*Hemant Passi Vs. Upasana Passi*', filed by the respondent-husband, pending in the Family Court, Pathankot and she seeks transfer of the same to the Court of competent jurisdiction at Jalandhar.

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 05.12.1997. Two sons were



born from the said wedlock, who are in the care and custody of the applicant. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is living at her parental place, along with her children. On query by this Court, it is submitted that the applicant is not working and has no source of earning. As such, she is dependent upon her parents. She has filed the petition under the Protection of Women from Domestic Violence Act i.e. COMA/159/2020, which is pending in the Courts at Jalandhar and the respondent is making appearance in the same. The distance between the two places is stated to be 113 kms.

In view of the submissions aforesaid, it is pertinent to mention that in the case in hand, the applicant is taking care of two children, singularly, more particularly, while she herself is not having any source of earning.

In view of the aforesaid fact situation, more particularly, taking into consideration the fact of one other litigation, arising from the estranged marriage, to be already pending at Jalandhar, which is being pursued by the respondent and above it, considering the conduct of the respondent in not having come forward to resist the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/195/2024, titled '*Hemant Passi Vs. Upasana Passi*', filed by the respondent-husband, stands transferred from the Family Court, Pathankot, to the Court of competent jurisdiction at Jalandhar. The requisite record of the aforesaid case be sent by the Family Court, Pathankot, to the District and Sessions Judge, Jalandhar.



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

10.04.2026

Himanshu Vats

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No