



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

Sr. No.127

**TA-1122-2024 (O&M)
Date of Decision: 22.05.2025**

NEERU SHARMA

....Applicant

Versus

DINESH KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Jaiveer Singh Malik, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 29.04.2025.

ARCHANA PURI, J. (Oral)

CM-16030-CII-2024

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

CM-9344-CII-2025

The present application has been filed for placing on record the
medical record and appointment letter.

In view of the averments made in the application, same is
allowed and the requisite documents are taken on record.

Main case

The applicant-wife has filed the present application for seeking
transfer of the petition under Section 9 of the Hindu Marriage Act i.e.
DMC/820/2023, titled '*Dinesh Kumar Vs. Neeru Sharma*', filed by the
respondent-husband, pending in the Family Court, Rewari and she seeks
transfer of the same to the Court of competent jurisdiction at Bhiwani.



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Upon notice issued, the respondent did not make appearance, despite service and as such, was proceeded against *ex parte*.

The 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 06.02.2017. One daughter born from the said wedlock, who is about 6 years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant has filed the petition under Section 125 Cr.P.C. i.e. MNT/126/2024, for seeking maintenance, which is pending in the Courts at Bhiwani and the respondent is pursuing the same. Even, she has filed the complaint under Section 12 of the Protection of Women from Domestic Violence Act i.e. COMA/60/2024, which is also pending in the Courts at Bhiwani and the same is also being pursued by the respondent. Also, it is submitted that the applicant though, is employed as PGT Chemistry lecturer in Sarvodya School of Science, Imlota, Charkhi Dadri and earning Rs.50,000/- per month, but however, while taking care of the minor daughter, it is difficult for her to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid and considering the fact about the respondent having not come forward to resist the application; the fact of two cases arising from the matrimonial dispute, already pending in the Courts at Bhiwani, which are being pursued by the respondent; the fact of minor daughter living with the applicant; and also considering the distance between the two places, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/820/2023, titled '*Dinesh Kumar Vs. Neeru Sharma*', filed by the respondent-husband,



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stands transferred from the Family Court, Rewari, to the Court of competent jurisdiction at Bhiwani. The requisite record of the aforesaid case be sent by the Family Court, Rewari, to the District and Sessions Judge, Bhiwani.

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

22.05.2025

Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No