



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

Sr. No.404

TA-1255-2023

Date of Decision: 19.03.2025

MANISHA BASRA

....Applicant

Versus

ROHIT KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Kuldeep Singh, Advocate for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

Service of the respondent duly effected, for the second time. However, none has made appearance on his behalf. As such, the respondent is proceeded against *ex parte*.

The 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. DMC/14/2023, titled '*Rohit Kumar Vs. Manisha Basra*', filed by the respondent-husband, pending in the Family Court (Camp Court) Rajpura, District Patiala and she seeks transfer of the same to the Court of competent jurisdiction at Jalandhar.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 19.06.2020, but no child was born from the said wedlock. However, on account of the matrimonial discord, the parties are residing separate. The applicant is not working and as such, has no source of earning. She is completely dependent upon her



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parental family. Furthermore, it is submitted that the applicant has got lodged an FIR bearing No.10 dated 18.02.2023, under Sections 323, 406 and 498-A IPC, at Police Station City, District Jalandhar and the respondent is facing trial, relating to the said FIR in the Courts at Jalandhar. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 149 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid and also considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly, when the respondent has 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. DMC/14/2023, titled '*Rohit Kumar Vs. Manisha Basra*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Rajpura, District Patiala, to the Court of competent jurisdiction at Jalandhar. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Rajpura, 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.

19.03.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No