



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

Sr. No.377

TA-1662-2024

Date of Decision: 07.04.2025

MINAKSHI DEVI**....Applicant****Versus****SACHIN****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. H.S. Sahu, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

Perusal of the paperbook reveals that the respondent was earlier making appearance through Mr. Rajat Sheokhand, Advocate, as observed in the order dated 21.02.2025, who had filed Power of Attorney. Thereafter, none had made appearance on behalf of the respondent. Even reply has not been filed, despite directed to do so. Today also, none has made appearance on behalf of the respondent. As such, the respondent is proceeded against *ex parte*.

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/97/2023, titled '*Sachin Vs. Minakshi Devi*', filed by the respondent-husband, pending in the Family Court Karnal and she seeks transfer of the same to the Court of competent jurisdiction at Kurukshetra.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 25.04.2021. One son born



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from the said wedlock, is in the care and custody of the applicant. Also, it is evident that the applicant is herself residing at England. On query by the Court, it is submitted by the counsel for the applicant that the child is residing with the applicant. The applicant had filed the divorce petition through attorney-holder i.e. her mother.

No reason, as such, has been assigned for seeking transfer of the divorce petition, apart from the same being purused by the mother of the applicant, who is an aged lady, which alone is not a ground, to allow the transfer application, more particularly, when nothing is coming forth about the attorney-holder to be having some constrained circumstances. Considering the same and also taking into consideration the locational situation of Karnal and Kurukshetra at main G.T. Road, which has well-connected means of communication, no case is made out for acceptance of the transfer application, more particularly, when the presence of the parties is not required on each and every date of hearing, in civil matter.

Hence, the transfer application is hereby dismissed.

07.04.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No