



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

Sr. No.221

TA-107-2025

Date of Decision: 30.04.2025

MAMTA

...Applicant

Versus

AJIT SINGH

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Vaibhav Jain, Advocate
for the applicant.

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. DMC/1051/2023 titled "Ajit Singh v/s Mamta", filed by the respondent/husband, which is pending in the courts at Rohtak and she seeks transfer of the same to the court of competent jurisdiction at Bhiwani.

Upon notice the respondent made appearance through Sh. Anil K Parmar, Advocate, who has filed Power of Attorney, which is taken on record. Counsel for the respondent submits that as per the instructions of the respondent, he has no objection, if the transfer application is accepted and the divorce petition is transferred.

Counsel for the parties heard.

It is submitted by the counsel for the applicant that the marriage between the parties was solemnized on 27.02.2004 and one son born from the said wedlock, is in the care and custody of the respondent at present, who is about 20 years old, at present. It is also submitted that earlier the



applicant was the tuberculosis patient. Also, it is submitted that the applicant has got lodged an FIR No.44 dated 15.02.2024 under Section 323, 34, 498-A, 506 IPC, at Bhiwani, in which respondent is facing trial. The applicant has no source of earning and as such, it is difficult for her to commute a distance of about 70 kms from her place of residence, to defend the divorce petition.

In view of the aforesaid fact situation and also considering the statement made by the counsel for the respondent, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/1051/2023 titled "Ajit Singh v/s Mamta", filed by the respondent/husband, stands transferred from the Family Court, Rohtak to the Court of competent jurisdiction at Bhiwani. The requisite record of the aforesaid case be sent by the Family Court, Rohtak 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.

30.04.2025

Sonu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No