

TA-918-2024

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2025:PHHC:069191



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

Sr. No.124

TA-918-2024

Date of Decision: 22.05.2025

KAVITA

...Applicant

Versus

PARVEEN KUMAR

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ram Pal Verma, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the order dated 22.04.2025, none had made appearance on behalf of the respondent. As such, he was proceeded against *ex parte*. However, on the subsequent date, the respondent made appearance through counsel, but no Power of Attorney or reply had been filed on his behalf. Today again, none has made appearance on behalf of the respondent. As such, the respondent continues to remain *ex parte*.

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. HMA/417/2024 titled “*Parveen Kumar v/s Kavita*”, filed by the respondent/husband, which is pending in the courts at Ambala and she seeks transfer of the same to the court of competent jurisdiction at Sonapat.

It is submitted by the counsel for the applicant that the marriage



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between the parties was solemnized on 11.11.2017 and one daughter born from the said wedlock, aged about 5 years, is in the care and custody of the applicant. On account of matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning. She has also filed petition under Section 125 Cr.P.C., which is pending in the courts at Sonapat and the same is pursued by the respondent. Besides the same, the respondent is facing trial in the FIR case, pending in the courts at Sonapat.

In view of the submissions made aforesaid and taking into consideration the preference generally given by the courts to the convenience of the wife, in case of transfer applications, relating to the matrimonial disputes, more particularly, considering the fact of the applicant taking care of the minor child, while not having any source of earning and also the respondent having not come forward to resist the transfer application, the same is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/417/2024 titled "*Parveen Kumar v/s Kavita*", filed by the respondent/husband, stands transferred from the Family Court, Ambala, to the Court of competent jurisdiction at Sonapat. The requisite record of the aforesaid case be sent by the Family Court, Ambala, to the District and Sessions Judge, Sonapat.

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

22.05.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No