



TA-473-2024 (O&M)

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

Sr. No.215

TA-473-2024 (O&M)
Date of Decision: 22.07.2025

SHELLY

....Applicant

Versus

RAMAN KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Navjot Kaur, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)**CM-6735-CII-2024**

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

Main case

Perusal of the paperbook reveals that on the last date of hearing, despite service, the respondent did not make appearance. Even today, he has not made appearance. 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 13 of the Hindu Marriage Act i.e.



TA-473-2024 (O&M)

HMA/508/2022, titled '*Raman Kumar Vs. Shelly*', filed by the respondent-husband, pending in the Family Court, Pathankot and she seeks transfer of the same to the Court of competent jurisdiction at Gurdaspur.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 23.02.2020, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the applicant was turned out of the matrimonial house by the respondent and since then, she is residing at her parental place. She is not having any source of earning and as such, is totally dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Gurdaspur and the respondent is contesting the same. Besides the same, also it is submitted that apart from the divorce petition, the respondent has also filed the petition under Section 9 of the Hindu Marriage Act, which is pending in the Courts at Pathankot. The applicant is making appearance in the said petition.

In view of the mitigating circumstances, as observed aforesaid, more particularly, while taking into consideration the fact about the respondent having not come forward to resist the application and pursuing one case, arising from this matrimonial dispute, in the Courts at Gurdaspur, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/508/2022, titled '*Raman Kumar Vs. Shelly*', filed by the respondent-husband, stands transferred from the Family Court, Pathankot, to the Court of competent jurisdiction at Gurdaspur. The requisite record of the aforesaid case be sent by the Family Court, Pathankot, to the District and Sessions Judge, Gurdaspur.



TA-473-2024 (O&M)

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

22.07.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No