



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

Sr. No.218

TA-530-2025 (O&M)
Date of Decision: 10.09.2025

SAVITA

....Applicant

Versus

VIKKI

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sunil Goswami, Advocate
for the applicant.(Through video conferencing).

None for the respondent.

ARCHANA PURI, J. (Oral)

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 (1) (ia) of the Hindu Marriage Act i.e. DMC/900-2024, titled '*Vikki v/s Savita*', filed by the respondent-husband, pending in the Family Court, Sonapat and she seeks transfer of the same to the Court of competent jurisdiction at Jind.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 04.07.2010 and three children born from the said wedlock, are in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. Also, it is pointed out by the counsel for the



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applicant that one of the son is having intellectual disability of 90%, copy of the intellectual disability is Annexure P-3. Furthermore, it is submitted that the applicant is not having any source of earning and she had filed petition under Section 144 of BNSS, which is pending in the courts at Jind. The same is stated to be at the appearance stage only. In the given circumstances, it is submitted that the applicant is not having any source of earning. As such, it is submitted that it is difficult for her to raise three children, more particularly, the special child and also pursue the divorce petition. The distance between the two places is stated to be 90 kms.

In view of the aforesaid mitigating circumstances, more particularly, when the respondent has not come forward to resist the transfer application as well as taking into consideration the fact of the children to be in the care and custody of the applicant, who herself is not having any source of earning, the transfer application is allowed and the petition under Section 13 (1) (ia) of the Hindu Marriage Act i.e. DMC/900-2024, titled '*Vikki v/s Savita*', filed by the respondent-husband, stands transferred from the Family Court, Sonapat to the Court of competent jurisdiction at Jind. The requisite record of the aforesaid case be sent by the Family Court, Sonapat to the District and Sessions Judge, Jind.

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

(ARCHANA PURI)
JUDGE

10.09.2025

Sonu

Whether speaking/reasoned : Yes

Whether reportable : Yes/No