



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

Sr. No.206

TA-269-2025

Date of Decision:22.08.2025

SAPNA SHARMA

....Applicant

Versus

SOURAV KUMAR SHARMA

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Amandeep Singh, Advocate for the applicant.

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 of the Hindu Marriage Act i.e. HMA/624/2024, titled '*Sourav Kumar Sharma v/s Sapna Sharma*', filed by the respondent-husband, pending in the Family Court, Moga and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

It is submitted that marriage between the parties had taken place on 25.06.2020, but no child was born from the said wedlock. On account of matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning. Also, it is submitted that the respondent is residing in Brampton, Canada, at present and had filed divorce petition, through Attorney holder, copy whereof is Annexure P-1, at Moga. The applicant has filed one complaint under Section 12 of Protection of Women



from Domestic Violence Act, which is pending in the courts at Ludhiana, which is being pursued by the respondent, through his attorney holder. Besides the same, the applicant has got lodged FIR No.37 dated 15.05.2024 under Section 406, 498-A IPC, against the respondent, in which the parents of the respondent had secured bail. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 70 kms, to defend the divorce petition.

Considering the aforesaid mitigating circumstances and more particularly, the fact of applicant not having any source of earning and the respondent himself resides at Canada and also taking into consideration the fact of two other litigation, pending at Ludhiana, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/624/2024, titled '*Sourav Kumar Sharma v/s Sapna Sharma*', filed by the respondent-husband, stands transferred from the Family Court, Moga to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Moga to the District and Sessions Judge, Ludhiana.

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

22.08.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No