



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

Sr. No.268

**TA-253-2025
Date of Decision: 19.08.2025**

MONIKA RANI

...Applicant

Versus

BALWANT

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. J.S.Dhaliwal, 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/173/2023 titled '*Balwant v/s Monika Rani*', filed by the respondent-husband, pending in the Family Court, Sri Muktsar Sahib and she seeks transfer of the same to the Court of competent jurisdiction at Fazilka.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties, had taken place on 18.10.2020, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning. She has filed maintenance petition under



Section 125 Cr.P.C. i.e. MNT125/174/2022 and criminal complaint under Section 406, 498-A IPC, which are pending in the courts at Fazilka and the respondent is pursuing both the aforesaid cases. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 60-70 kms, to defend the divorce petition.

In view of the mitigating circumstances aforesaid, more particularly, considering the fact that the respondent having not come forward to resist the transfer application, the same is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/173/2023 titled '*Balwant v/s Monika Rani*', filed by the respondent-husband, stands transferred from the Family Court, Sri Muktsar Sahib to the Court of competent jurisdiction at Fazilka. The requisite record of the aforesaid case be sent by the Family Court, Sri Muktsar Sahib, to the District and Sessions Judge, Fazilka.

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

19.08.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No