



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

Sr. No.237

TA-583-2024

Date of Decision: 19.03.2025

SHWETA

...Applicant

Versus

AKASH

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Suryakant Gautam, Advocate
for the applicant.

Mr. Manoj Tanwar, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

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/100/2024, titled '*Akash Vs. Shweta*', filed by the respondent-husband, pending in the Family Court, Jhajjar and she seeks transfer of the same to the Court of competent jurisdiction at Rohtak.

Upon notice, the respondent made appearance through counsel. However, the counsel for the respondent submits that he does not intend to file reply to the transfer application, though, he contests the same.

Learned counsel for the parties heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 26.05.2021, but no child



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was born from the said wedlock. Also, it is submitted that the applicant is not working and as such, has no source of earning. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Rohtak.

On the contrary, the counsel for the respondent submits that the distance between Jhajjar and Rohtak is only 34 kilometres, which fact is not controverted by the counsel for the applicant. Also, it is submitted that the applicant is a post-graduate.

In view of the submissions aforesaid, it is pertinent to mention that even though, no document relating to the educational input of the applicant, is coming on record, but however, the distance is a major factor to be seen, which is only 34 kilometres. Also, there is no child born from the said wedlock.

In view of the aforesaid fact situation and also considering the well-established network of transportation, existing in the present time, no case is made out for transfer of the divorce petition.

Hence, the transfer application is hereby dismissed.

19.03.2025

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(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No