



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

Sr. No.113

TA-1302-2023

Date of Decision: 13.02.2025

SHRUTI

...Applicant

Versus

ASHISH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Mukesh Mehra, Advocate
for the applicant.

None 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. DMC/224/2023, titled '*Ashish Vs. Shruti*', filed by the respondent-husband, pending in the Family Court, Panipat and she seeks transfer of the same to the Court of competent jurisdiction at Rohtak.

Despite service having effected, as observed in the order dated 04.02.2025, none had made appearance on behalf of the respondent. Even today, none has made appearance on behalf of the respondent. As such, he is proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 10.12.2020, but no child was born from the said wedlock. Also, it is submitted that the applicant is unemployed and is totally dependent upon her parental family. In the given



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circumstances, it is submitted that it is difficult for her to commute a distance of about 80 kilometres, to defend the divorce petition. No other litigation is stated to be pending between the parties, on account of this matrimonial dispute.

In view of the aforesaid fact situation and also considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/224/2023, titled '*Ashish Vs. Shruti*', filed by the respondent-husband, stands transferred from the Family Court, Panipat, to the Court of competent jurisdiction at Rohtak. The requisite record of the aforesaid case be sent by the Family Court, Panipat, to the District and Sessions Judge, Rohtak.

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

13.02.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No