



TA-72-2025

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

Sr. No.123

TA-72-2025

Date of Decision: 13.05.2025

MINKY

...Applicant

Versus

ROBIN

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Munish Puri, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 03.03.2025, despite service, the respondent did not make appearance on that date. Even on the subsequent date i.e. 07.05.2025, he has not made appearance. Today also, 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 civil suit i.e. CS/1476/2023, titled '*Robin Sahota Vs. Minky*', filed by the respondent-husband, for seeking damages/compensation. The said suit is pending in the Courts at Amritsar and the applicant seeks transfer



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of the same to the Court of competent jurisdiction at Pathankot.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 19.10.2020, as per Christian Rites and Rituals. One daughter was born from the said wedlock, who is about 3 years old and is in the care and custody of the applicant. The applicant is not having any source of earning and as such, has also filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Pathankot. The respondent is making appearance in the said petition. Besides the same, the applicant has also filed the petition under Section 12 of the Protection of Women from Domestic Violence Act, which is also pending in the Courts at Pathankot, at appearance stage. Even, FIR bearing No.32 dated 28.03.2022, under Sections 406 and 498-A IPC, got lodged by the applicant at Police Station Division No.1, Pathankot, is still pending investigation. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 100 kilometres, to defend the civil suit, more particularly, when she is taking care of the minor daughter and having no source of earning.

In view of the aforesaid fact situation and considering the preference generally given by the Courts to the convenience of wife in the transfer applications relating to the matrimonial disputes, more particularly, when the respondent has not come forward to resist the application, the transfer application is allowed and the civil suit i.e. CS/1476/2023, titled '*Robin Sahota Vs. Minky*', filed by the respondent-husband, stands transferred from the Courts at Amritsar, to the Court of competent jurisdiction at Pathankot. The requisite record of the aforesaid case be sent



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by the concerned Court at Amritsar, to the District and Sessions Judge, Pathankot.

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

13.05.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No