



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

Sr. No.213

TA-350-2025

Date of Decision: 11.08.2025

NISHA

...Applicant

Versus

SATAR MOHAMMAD

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. S.L. Chander Shekhar, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the order dated 13.05.2025, despite service, the respondent did not make appearance on that date. Even today, he has not made appearance. As such, the respondent is proceeded against *ex parte*.

Counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the civil suit, filed for restitution of conjugal rights under the Muslim Law i.e. CS/18/2024, titled '*Satar Mohammad Vs. Nisha*', filed by the respondent-husband. The said suit is pending in the Family Court, Barnala and she seeks transfer of the same to the Court of competent jurisdiction at Faridkot.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 15.12.2023, 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



TA-350-2025

income and as such, is dependent upon her parental family. Even, she has filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which is pending in the Courts at Faridkot and the respondent is making appearance in the same. The distance between the two places is stated to be about 80 kilometres.

In view of the aforesaid mitigating circumstances, more particularly, considering the fact of the respondent having not come forward to resist the application, while he is pursuing the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in the Courts at Faridkot, the transfer application is allowed and the civil suit, filed for restitution of conjugal rights under the Muslim Law i.e. CS/18/2024, titled '*Satar Mohammad Vs. Nisha*', filed by the respondent-husband, stands transferred from the Family Court, Barnala, to the Court of competent jurisdiction at Faridkot. The requisite record of the aforesaid case be sent by the Family Court, Barnala, to the District and Sessions Judge, Faridkot.

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

11.08.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No