



TA-300-2025

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

Sr. No.208

TA-300-2025

Date of Decision: 20.08.2025

REKHA

....Applicant

Versus

SANDEEP

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. K.S. Malik-I, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per observed in the order dated 27.05.2025, 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 petition under Section 13 of the Hindu Marriage Act i.e. DMC/105/2024, titled '*Sandeep Vs. Rekha*', filed by the respondent-husband, pending in the Family Court (Camp Court) Gohana, District Sonapat and she seeks transfer of the same to the Court of competent



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jurisdiction at Rohtak.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 20.03.2017. On account of the matrimonial dispute, the parties are residing separate. One son born from the said wedlock, who is about 3 years old, is in the care and custody of the applicant. The applicant is not having any source of earning and as such, she along with her minor son, is dependent upon her parental family. Even, she has filed the maintenance petition i.e. MNT-125/232/2021, as well as the petition under the Protection of Women from Domestic Violence Act i.e. COMA/545/2021, which are pending in the Courts at Rohtak and the respondent is pursuing both the said petitions. Also, the respondent is facing trial in the Courts at Rohtak, relating to FIR got lodged at the instance of the applicant. In these circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 50 kilometres, to defend the divorce petition.

In view of the aforesaid mitigating circumstances, more particularly, taking into consideration the applicant having the custody of the minor son, while she herself is not having any source of earning, as well as considering three cases already pending in the Courts at Rohtak, which are being pursued by the respondent, who has not come forward to resist the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/105/2024, titled '*Sandeep Vs. Rekha*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Gohana, District Sonapat, to the Court of competent



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jurisdiction at Rohtak. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Gohana, 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.

20.08.2025

Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No