



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

Sr. No.104

TA-1570-2024

Date of Decision: 29.05.2025

NEERAJ KUMARI

....Applicant

Versus

MANVIR KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Kartik Gupta, Advocate for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 22.05.2025, 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 9 of the Hindu Marriage Act i.e. HMA-57-2023 titled '*Manvir Kumar v/s Neeraj Kumari*', filed by the respondent-husband, pending in the Family Court, Samrala, District Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Hoshiarpur.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 21.05.2021, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. On query by the



court, it is disclosed that the applicant is not having any source of earning and is dependant upon her parental family. She has filed the petition under Section 125 Cr.P.C., which is pending in the courts at Hoshiarpur, wherein the respondent has already been proceeded against *ex parte*. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 100 kms to defend the petition under Section 9 of Hindu Marriage Act.

Keeping in view the aforesaid submissions and taking into consideration the mitigating circumstances, as disclosed aforesaid and more particularly, considering the fact of the respondent having not come forward to resist the transfer application, the same is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA-57-2023 titled '*Manvir Kumar v/s Neeraj Kumari*', filed by the respondent-husband, stands transferred from the Family Court, Samrala, District Ludhiana to the Court of competent jurisdiction at Hoshiarpur. The requisite record of the aforesaid case be sent by the Family Court, Samrala, to the District and Sessions Judge, Hoshiarpur.

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

29.05.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No