



TA-169-2024

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

Sr. No.250

TA-169-2024
Date of Decision: 05.05.2025

REENA KARDWAL

...Applicant

Versus

DHARAM PAL

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ajay Kumar, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 08.04.2025, 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*.

The 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. HMA/1308/2023, titled '*Dharam Pal Vs. Reena Kardwal*', filed by the



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respondent-husband, pending in the Family Court, Karnal and she seeks transfer of the same to the Court of competent jurisdiction at Kaithal.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 14.01.2021. One son born from the said wedlock, who is 3½ years old, is in the care and custody of the applicant. The applicant not working and as such, has no source of earning. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Kaithal and the respondent is making appearance in the same. The distance between the two places is stated to be about 65 kilometres. As such, prayer for acceptance of the transfer application, has been made.

In view of the submissions aforesaid, it is pertinent to mention that generally, the Courts lean towards the convenience of wife, in case of transfer applications relating to the matrimonial disputes. In the case in hand, the applicant is not having any source of earning and also taking care of the minor son. The respondent is working as a Patwari with Haryana Government. Even, the applicant has filed the petition under Section 125 Cr.P.C. at Kaithal, in which the respondent had made appearance. Furthermore, the respondent has not come forward to resist the transfer application.

In view of the aforesaid fact situation, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/1308/2023, titled '*Dharam Pal Vs. Reena Kardwal*', filed by the respondent-husband, stands transferred from the Family Court, Karnal, to the Court of competent jurisdiction at Kaithal. The requisite record of the



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aforesaid case be sent by the Family Court, Karnal, to the District and Sessions Judge, Kaithal.

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

Pending civil miscellaneous application, also stands disposed of.

05.05.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No