



TA-1584-2024

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

Sr. No.212

TA-1584-2024

Date of Decision: 09.07.2025

NISHA

....Applicant

Versus

VINAY KUMAR

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

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

Respondent proceeded against *ex parte*  
vide order dated 26.05.2025.

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**ARCHANA PURI, J. (Oral)**

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/753/2024, titled '*Vinay Kumar Vs. Nisha*', filed by the respondent-husband, pending in the Family Court, Hisar and she seeks transfer of the same to the Court of competent jurisdiction at Sirsa.

Upon notice, the respondent did not make appearance, despite service and as such, was proceeded against *ex parte*.

The counsel for the applicant heard.

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



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14.01.2021. One son born from the said wedlock, who is about 4 years old, is in the care and custody of the applicant. The applicant was not working, at the time of filing of the transfer application and thus, she had filed the petition under Section 125 Cr.P.C. i.e. MNT-125/120/2024, which is pending in the Courts at Sirsa and the respondent is making appearance in the same. Besides the same, the respondent is facing trial in the Courts at Sirsa, relating to FIR bearing No.63 dated 24.10.2023, under Sections 34, 323 and 498-A IPC, got lodged by the applicant at Women Police Station, Sirsa. However, it is brought to the notice of this Court that under the constrained circumstances, now the applicant after filing of the present application, has joined the job in 'Tata Motors' and her monthly salary is only Rs.10,000/-.

Faced with the constrained circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 100 kilometres, to defend the divorce petition, more particularly, while taking care of the minor son.

In view of the submissions aforesaid and also taking into consideration the fact about the respondent, having not bothered to contest the present application, more particularly, when the applicant is taking care of the minor son, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/753/2024, titled '*Vinay Kumar Vs. Nisha*', filed by the respondent-husband, stands transferred from the Family Court, Hisar, to the Court of competent jurisdiction at Sirsa. The requisite record of the aforesaid case be sent by the Family Court, Hisar, to the District and Sessions Judge, Sirsa.



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

**09.07.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No