



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

Sr. No.106

TA-196-2024

Date of Decision: 04.04.2025

MUGDHA THAREJA

....Applicant

Versus

TARUN GROVER

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Udit Garg, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 29.01.2025.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. DMC/74/2023, titled '*Tarun Grover Vs. Mugdha Thareja*', filed by the respondent-husband, pending in the Family Court, Bhiwani and she seeks transfer of the same to the Court of competent jurisdiction at Yamuna Nagar.

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

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 10.12.2017. Twin children born from the said wedlock, who are about 4 years old, are in the care and custody of the applicant. On account of the matrimonial dispute, the parties



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are residing separate. The applicant has got lodged an FIR bearing No.300 dated 21.04.2023, under Sections 323, 406, 498-A and 506 IPC, at Police Station Yamuna Nagar City, District Yamuna Nagar, which is under investigation. She has also filed the petition under the Protection of Women from Domestic Violence Act i.e. COMA/87/2023 and the petition under Section 125 Cr.P.C. i.e. MNT-125/20/2023, which are also pending in the Courts at Yamuna Nagar and the respondent is making appearance in the said cases through counsel.

Also, it is submitted that the applicant, even though, is working as an Engineer and earning Rs.80,000/- per month, but however, the earnings of the respondent are Rs.1,50,000/-. Also, the respondent is not paying anything for the maintenance of the children. Furthermore, it is submitted that while working and taking care of the minor children, it is difficult for the applicant to commute a distance of about 215 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid and taking into consideration the fact about the respondent, having not come forward to resist the application, more particularly, when the applicant is already taking care of two children and also considering the fact about litigation already pending in the Courts at Yamuna Nagar, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/74/2023, titled '*Tarun Grover Vs. Mugdha Thareja*', filed by the respondent-husband, stands transferred from the Family Court, Bhiwani, to the Court of competent jurisdiction at Yamuna Nagar. The requisite record of the aforesaid case be sent by the Family Court, Bhiwani, to the District and Sessions Judge, Yamuna Nagar.



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

04.04.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No