



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

Sr. No.231

TA-552-2024 (O&amp;M)

Date of Decision: 22.04.2025

PRIYA

....Applicant

Versus

SHIVAM

.....Respondent

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

Present:- Mr. Vikas Bali, Advocate  
for the applicant.

None for the respondent.

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

As observed in the previous order, despite service, the respondent had not made appearance, on that date. Today also, none has made appearance on his behalf. As such, respondent is proceeded against *ex parte*.

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/82/2024 titled "Shivam v/s Priya", filed by the respondent/husband, which is pending in the courts at Ferozepur and she seeks transfer of the same to the court of competent jurisdiction at Amritsar.

Counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties had solemnized on 23.06.2020 and twin children were born from the said wedlock, who are aged about two years at present and are in the care and custody of the applicant. However, on account of matrimonial dispute, the parties are residing separate. It is further submitted



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that the respondent had already performed second marriage with one Pawan Kaur. Furthermore, it is submitted that the applicant is not having any source of earning. As such, she along with her minor children, are completely dependent upon her widow mother. In the given circumstances, it is submitted that it is difficult for the applicant to pursue the petition under Section 9 of Hindu Marriage Act, from a distance of about 120 kms from the place of her residence. The applicant has also filed one petition under Section 125 Cr.P.C., which is pending in the courts at Amritsar.

In view of the aforesaid fact situation and also considering the fact that generally the courts give preference to the convenience of the wife in the transfer applications, relating to the matrimonial disputes, more particularly, when she is not having any source of earning and taking care of the minor children and the respondent has not come forward to contest the transfer application, the same is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/82/2024 titled "Shivam v/s Priya", filed by the respondent/husband, stands transferred from the Family Court, Ferozpur to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court, Ferozpur to the District and Sessions Judge, Amritsar.

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

**22.04.2025**

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**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No