



TA-37-2025

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

Sr. No.127

TA-37-2025

Date of Decision: 28.03.2025

NEELAM

....Applicant

Versus

RAHUL

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURIPresent:- Mr. Neeraj Yadav, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 10.02.2025, 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/99/2024, titled '*Rahul Vs. Neelam*', filed by the respondent-husband, pending in the Family Court, Mohindergarh and she seeks transfer of the



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same to the Court of competent jurisdiction at Rewari.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 28.11.2013, but no child was born from the said wedlock. However, on account of the matrimonial discord, the parties are residing separate. The applicant is not working and as such, has no source of earning. She is totally dependent upon her parental family, while residing at Rewari. Also, it is submitted that the applicant had filed the petition under the Protection of Women from Domestic Violence Act, which is pending in the Courts at Rewari and the respondent is making appearance in the same. Besides the same, she had also got lodged an FIR under Section 498-A IPC, wherein challan has been presented and the respondent is facing trial, relating to the said FIR in the Courts at Rewari. In these circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 80 kilometres, to defend the divorce petition.

In view of the submissions aforesaid and also considering the fact of the respondent having not come forward to resist the application, more particularly, when two cases are already pending in the Courts at Rewari, which are being pursued by the respondent and taking into consideration the distance between the two places, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/99/2024, titled '*Rahul Vs. Neelam*', filed by the respondent-husband, stands transferred from the Family Court, Mohindergarh, to the Court of competent jurisdiction at Rewari. The requisite record of the aforesaid case be sent by the Family Court, Mohindergarh, to the District and Sessions Judge, Rewari.



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

28.03.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No