



TA-1353-2024

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

Sr. No.109

TA-1353-2024

Date of Decision: 19.08.2025

POOJA ARORA

...Applicant

Versus

DINESH KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Nitin Narula, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 06.05.2025, 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*.

Counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/200/2024, titled '*Dinesh Kumar Vs. Pooja Arora*', filed by the respondent-husband, pending in the Family Court (Camp Court) Derabassi, District SAS Nagar and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.



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It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 20.04.2019. One son born from the said wedlock, who is about 4 years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant has already got lodged an FIR bearing No.167 dated 19.09.2024, under Sections 494 and 498-A IPC, at Police Station Chheharta, District Amritsar and challan has been presented in the same in the Courts at Amritsar. However, the trial is pending to secure the presence of the respondent. Also further, it is submitted that the applicant is not having any source of earning and as such, is totally dependent upon her parental family. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 240 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act, pending at Derabassi.

Considering the aforesaid mitigating circumstances, more particularly, when the respondent has not come forward to resist the application, taking into consideration the distance between the two places and also considering the fact about the applicant, taking care of the minor son born from the wedlock of the parties, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/200/2024, titled '*Dinesh Kumar Vs. Pooja Arora*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Derabassi, District SAS Nagar, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Derabassi, to the District and Sessions Judge, Amritsar.



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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.

19.08.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No