



TA-449-2025

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

**Sr. No.119**

**TA-449-2025**

**Date of Decision: 26.05.2025**

**ROSHNI BALA**

**....Applicant**

**Versus**

**ROCKY**

**....Respondent**

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

Present:- Dr. Payel Mehta, Legal Aid Counsel  
for the applicant.

None for the respondent.

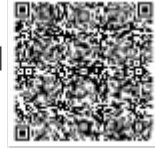
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**ARCHANA PURI, J. (Oral)**

As per the observations made in the order dated 13.05.2025, 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*.

The 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/2107/2024, titled '*Rocky Vs. Roshni Bala*', filed by the respondent-

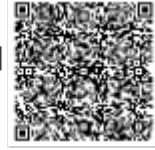


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husband, pending in the Family Court, Amritsar and she seeks transfer of the same to the Court of competent jurisdiction at Pathankot.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 28.04.2019. One son born from the said wedlock, who is about 5 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 filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 i.e. MNT-125/293/2024, the complaint under the Protection of Women from Domestic Violence Act i.e. COMA/172/2024, as well as the complaint under Sections 316(2), 85, 61(2) of the Bharatiya Nyaya Sanhita, 2023 i.e. COMI/149/2024, which are pending in the Courts at Pathankot and the respondent is making appearance in all the aforesaid cases. Also, it is submitted that the applicant is not working and as such, has no source of earning. She is dependent upon her parental family. The distance between the two places is stated to be 120 kilometres.

Taking into consideration the mitigating circumstances, as mentioned aforesaid and also considering the fact about the respondent having not come forward to resist the application, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/2107/2024, titled '*Rocky Vs. Roshni Bala*', filed by the respondent-husband, stands transferred from the Family Court, Amritsar, to the Court of competent jurisdiction at Pathankot. The requisite record of the aforesaid



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case be sent by the Family Court, Amritsar, to the District and Sessions Judge, Pathankot.

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

**26.05.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No