



TA-933-2024

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

Sr. No.116

TA-933-2024

Date of Decision: 22.04.2025

PINKI

....Applicant

Versus

VIKRAM @ VICKY

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Deepak Choudhary, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the previous 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. DMC/17/2024, titled '*Vikram @ Vicky Vs. Pinki*', filed by the respondent-



TA-933-2024

husband, pending in the Family Court (Camp Court) Hansi, District Hisar and she seeks transfer of the same to the Court of competent jurisdiction at Fatehabad.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 26.03.2014, but no child was born from the said wedlock. However, due to the matrimonial dispute, the parties are residing separate. The applicant is residing at her parental place. She is not having any source of earning and is dependent upon her parental family. The applicant had filed the petition under the Protection of Women from Domestic Violence Act, in the Courts at Fatehabad, which has since been decided vide order dated 02.01.2024 and the execution relating to the same is still pending in the Courts at Fatehabad and the respondent is pursuing the same. In the given 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 aforesaid fact situation and also considering the fact that generally the Courts give preference to the convenience of wife in the transfer applications relating to the matrimonial disputes, more particularly, when the respondent has not come forward to resist the application and also taking into consideration the fact about the applicant having no source of earning and also considering the distance between the two places, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/17/2024, titled '*Vikram @ Vicky Vs. Pinki*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Hansi, District Hisar, to the Court of competent



TA-933-2024

jurisdiction at Fatehabad. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Hansi, to the District and Sessions Judge, Fatehabad.

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

22.04.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No