



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

Sr. No.131

TA-110-2025

Date of Decision: 07.05.2025

ANJU SHARMA

....Applicant

Versus

CHETAN SHARMA

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. A.K.Spehia, 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*.

The counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 7 and 25 of the Guardian and Wards Act, titled '*Chetan Sharma v/s Anju Sharma*' (Annexure A-1), filed by the respondent-husband, pending in the Family Court (Camp Court) Batala, District Gurdaspur and she seeks transfer of the same to the Court of competent jurisdiction at Baba Bakala, District Amritsar.



It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 18.01.2019 and one daughter born from the said wedlock, who is about 4 years old, is in the care and custody of the applicant. On account of matrimonial dispute, the parties are residing separate. It is further submitted that the applicant has got lodged FIR No.100 dated 28.05.2022 under Section 406/498-A, against the respondent and the challan has been presented in the courts at Baba Bakala, Amritsar. Even, petition under Section 125 Cr.P.C. has been filed by the application, which is also pending in the courts at Baba Bakala and the respondent is making appearance in the same.

It is further pin-pointed that earlier the respondent had filed petition under Section 9 of Hindu Marriage Act, against the respondent at Batala, District Gurdaspur and relating to the same, she had filed TA-1048-2023 and the same was transferred by this Court, vide order dated 15.01.2025, copy whereof is Annexure A-4.

Considering the aforesaid and also taking into consideration the preference generally given by the courts to the convenience of the wife, more particularly, when she is taking care of the minor daughter as well as taking into consideration the fact of petition under Section 9 of Hindu Marriage Act, already having been transferred by this Court, the transfer application, as such, is hereby allowed and the petition under Section 7 and 25 of the Guardian and Wards Act, titled '*Chetan Sharma v/s Anju Sharma*' (Annexure A-1), filed by the respondent-husband, stands transferred from the Family Court, Batala, District Gurdaspur, to the Family Court (Camp Court), Baba Bakala, District Amritsar. The requisite record of the aforesaid case be sent by the Family Court, Batala to the District and Sessions Judge, Amritsar.



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

07.05.2025

Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No