

TA-1433-2024

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

Sr. No.126

TA-1433-2024

Date of Decision: 08.04.2025

**HIMANSHI SHARMA**

....Applicant

Versus

**SHAMINDER KUMAR**

.....Respondent

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

Present:- Mr. P.K.S. Phoolka, Advocate  
for the applicant.

None for the respondent.

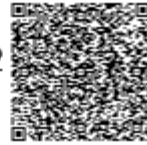
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**ARCHANA PURI, J. (Oral)**

As per the observations made in the order dated 05.02.2025, 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/131/2024, titled '*Shaminder Kumar Vs. Himanshi Sharma*', filed by

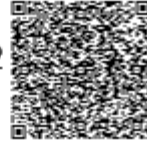


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the respondent-husband, pending in the Family Court (Camp Court) Sunam, District Sangrur and she seeks transfer of the same to the Court of competent jurisdiction at Shahabad, District Kurukshetra.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 11.11.2017. One daughter 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 is having no source of earning and is dependent upon her parents. There is stated to be no other litigation between the parties. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 150 kilometres, to defend the divorce petition.

In view of the submissions aforesaid, considering the fact about the respondent having not come forward to resist the application, considering the fact of minor son being in the care and custody of the applicant, more particularly, when she is not having any 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. HMA/131/2024, titled '*Shaminder Kumar Vs. Himanshi Sharma*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Sunam, District Sangrur, to the Court of competent jurisdiction at Shahabad, District Kurukshetra. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Sunam, to the District and Sessions Judge, Kurukshetra.



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

**08.04.2025**  
Himanshu

**(ARCHANA PURI)**  
**JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No