



TA-1309-2024

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

Sr. No.324

TA-1309-2024

Date of Decision: 10.07.2025

NEERU BALA

....Applicant

Versus

LALIT MOHAN

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. R.K. Saini, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 19.12.2024, despite service, the respondent did not make appearance on that date. Even on the subsequent dates, he had not made appearance. Today also, he has not appeared. 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/1076/2024, titled '*Lalit Mohan Vs. Neeru Bala*', filed by the respondent-husband, pending in the Family Court, Amritsar and she seeks

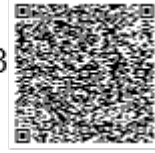


TA-1309-2024

transfer of the same to the Court of competent jurisdiction at Chandigarh.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 25.02.2016. One son born from the said wedlock, who is about 7 years old, is in the care and custody of the respondent. On account of the matrimonial dispute, the parties are residing separate. Even, the applicant has filed the petition under Section 125 Cr.P.C., as well as the petition under the Protection of Women from Domestic Violence Act, which are already pending in the Courts at Chandigarh and the respondent is making appearance in the same. Besides the same, the applicant had also filed CRM-M-37278-2021, before this Court, for seeking protection of her life and liberty and the respondent is making appearance in the same. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 225 kilometres, to defend the divorce petition.

In view of the submissions aforesaid and taking into consideration the weightage given to the convenience of the wife, in case of transfer application, relating to the matrimonial dispute, more particularly, considering the fact of the respondent, having not come forward to resist the application; distance between the two places; the fact of the respondent already pursuing the litigation initiated by the applicant, which is pending in the Courts at Chandigarh, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/1076/2024, titled '*Lalit Mohan Vs. Neeru Bala*', filed by the respondent-husband, stands transferred from the Family Court, Amritsar, to the Court of competent jurisdiction at Chandigarh. The requisite record of the aforesaid case be sent



TA-1309-2024

by the Family Court, Amritsar, to the District and Sessions Judge, Chandigarh.

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

10.07.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No