



TA-563-2024 (O&M)

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

Sr. No.217

**TA-563-2024 (O&M)
Date of Decision: 15.05.2025**

PARNEETA RANI

....Applicant

Versus

YOGESH KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Yaman, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

CM-7980-CII-2024

Keeping in view the averments made in the application, same is allowed.

Main case

As per the observations made in the order dated 21.03.2025, 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.



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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/209/2023, titled '*Yogesh Kumar Vs. Parneeta*', filed by the respondent-husband, pending in the Family Court, Jalandhar and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 08.06.2022. One son born from the said wedlock, who at present is about 1 year and 4 months old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. There is stated to be no other litigation, arising from this matrimonial dispute. The applicant is not having any source of earning and as such, it is difficult for her to commute a distance of about 61 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid and also considering the fact about the respondent having not come forward to resist the application, more particularly, when the applicant is not having any source of earning and also taking care of the toddler, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/209/2023, titled '*Yogesh Kumar Vs. Parneeta*', filed by the respondent-husband, stands transferred from the Family Court, Jalandhar, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Jalandhar, to the District and Sessions Judge, Ludhiana.



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

Pending civil miscellaneous application, also stands disposed of.

15.05.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No