



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

Sr. No.118

TA-1555-2024

Date of Decision: 28.04.2025

POOJA

...Applicant

Versus

SANDEEP KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ashok K. Sharma (Bhana) and
Ms. Suman Sharma, Advocates
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 03.03.2025, 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.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. DMC/39/2024, titled '*Sandeep Kumar Vs. Pooja*', filed by the respondent-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 Narwana, District Jind.

It is submitted by the counsel for the applicant that the marriage



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between the parties to the lis, had taken place on 04.01.2022, but no child was born from the said wedlock. However, due to the matrimonial dispute, the parties are residing separate. The applicant had already filed the petition under Section 12 of the Protection of Women from Domestic Violence Act and the petition under Section 125 Cr.P.C., which are pending in the Courts at Narwana/Jind and the respondent is making appearance in the same. Also, the respondent is facing trial, relating to FIR bearing No.76 dated 07.06.2023, under Sections 323, 406, 498-A and 506 IPC, got lodged by the applicant, in the Courts at Jind. Furthermore, it is submitted that the applicant is not having any source of earning and as such, is dependent upon her parental family. In the given circumstances, a prayer has been made for acceptance of the transfer application.

In view of the submissions aforesaid, taking into consideration that generally the Courts lean towards 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 considering the fact of the applicant not having any source of earning and also the fact about three other cases arising from the matrimonial dispute, already pending in the Courts at Narwana/Jind, which are being pursued by the respondent, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/39/2024, titled '*Sandeep Kumar Vs. Pooja*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Hansi, District Hisar, to the Court of competent jurisdiction at Narwana, District Jind. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Hansi, to the District and Sessions Judge, Jind.

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

28.04.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No