



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

Sr. No.211

**TA-404-2025
Date of Decision: 22.08.2025**

RAJNI

....Applicant

Versus

VIKASH

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Pawan Attri, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

Perusal of the paperbook reveals that on the last date of hearing, despite service, the respondent did not make appearance. 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 (1) (ia) of the Hindu Marriage Act i.e. HMA/43/2025, titled '*Vikash v/s Rajni*', filed by the respondent-husband, pending in the Family Court, Jhajjar and she seeks transfer of the same to the Family Court (Camp Court) Pehowa, District Kurukshetra.

It is submitted by the counsel for the applicant that the marriage between the parties had taken place on 14.05.2020 and two children born from the said wedlock, who are in the age group of 4 years and 2 years are in the care and custody of the applicant. Also, it is submitted that petition under Section 12 of the Protection of Women from Domestic Violence Act



has been filed, which is pending in the Courts at Kurukshetra and the same is still at appearance stage. Besides the same, the petition under Section 144 of Bharatiya Nagarik Suraksha Sanhita, has been filed by the applicant, which is pending in the Courts at Pehowa and the respondent has been proceeded against *ex-parte* in the same. Also, challan has been presented in the Courts at Pehowa, *vis-a-vis*, FIR No.18 dated 27.01.2025 under Sections 323, 406 and 498-A IPC and still charge is to be framed. The distance between the two places is stated to be 225 kms. The applicant is stated to be not having any source of earning.

Considering the mitigating circumstances aforesaid and more particularly, taking into consideration the fact of applicant taking care of two minor children and who herself is not having any source of earning and the respondent having not come forward to resist the transfer application, the same is allowed and the petition under Section 13 (1) (ia) of the Hindu Marriage Act i.e. HMA/43/2025, titled '*Vikash v/s Rajni*, filed by the respondent-husband, stands transferred from the Family Court, Jhajjar to the Family Court (Camp Court), Pehowa, District Kurukshetra. The requisite record of the aforesaid case be sent by the Family Court, Jhajjar to the District and Sessions Judge, Kurukshetra.

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

22.08.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : Yes/No