

TA-796-2024

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2025:PHHC:045530



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

**Sr. No.235**

**TA-796-2024**

**Date of Decision: 03.04.2025**

**SONU**

**....Applicant**

**Versus**

**SANJU**

**.....Respondent**

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

Present:- Mr. J.K. Singla, Advocate  
for the applicant.

None for the respondent.

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

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/1422/2024, titled '*Sanju Vs. Sonu*', filed by the respondent-husband, pending in the Family Court, Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Mansa.

Upon notice, the respondent did not make appearance, despite service. As such, he is proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place three years ago, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant is having no source of earning and as such, she is totally dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts



at Mansa. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 120 kilometres from the place of her residence, to defend the petition under Section 9 of the Hindu Marriage Act, pending at Ludhiana.

In view of the submissions aforesaid, considering the position of law about preference given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly, when the applicant is not having any source of earning and also considering the fact about the petition under Section 125 Cr.P.C. to be already pending in the Courts at Mansa, which is being pursued by the respondent, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/1422/2024, titled '*Sanju Vs. Sonu*', filed by the respondent-husband, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Mansa. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, to the District and Sessions Judge, Mansa.

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

**03.04.2025**  
Himanshu

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

Whether speaking/reasoned : Yes

Whether reportable : Yes/No