



TA-864-2025

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

Sr. No.204

TA-864-2025

Date of Decision: 19.09.2025

**JYOTI****....Applicant****Versus****BALRAM****....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Mayank Gupta, Advocate  
for the applicant.

None for the respondent.

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

As observed in the previous order, 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*.

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. HMA/236/2025, titled '*Balram Vs. Jyoti*', filed by the respondent-husband, pending in the Family Court, Kaithal and she seeks transfer of the same to the Court of competent jurisdiction at 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 31.03.2024, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant had filed a complaint against the respondent, in the month of April, 2025, before SHO, Women Police Station, Jind. It is submitted that now, FIR has been registered, on the basis of the said complaint, against the respondent. Besides the same, the applicant has also filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 i.e. MNT-125/149/2025, the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. COMA/417/2025 and the divorce petition and all the said cases are pending in the Courts at Jind, at appearance stage. The applicant herself is not having any source of earning. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 65 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

Considering the aforesaid mitigating circumstances, more particularly, when the applicant is not having any source of earning and three cases, arising from the matrimonial dispute are already pending in the Courts at Jind and above all, considering the fact about the respondent having not come forward to resist the application, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/236/2025, titled '*Balram Vs. Jyoti*', filed by the respondent-husband, stands transferred from the Family Court, Kaithal, to the Court of competent jurisdiction at Jind. The requisite record of the aforesaid case be sent by the Family Court, Kaithal, 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, Jind. Even, the parties are directed to appear before the Family Court, Jind, within a period of one month from today onwards.

**19.09.2025**  
Himanshu Vats

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

Whether speaking/reasoned : Yes

Whether reportable : Yes/No