



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

Sr. No.117

TA-1241-2024

Date of Decision: 10.03.2025

MADHUMITA

....Applicant

Versus

SANDEEP KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Rajesh Goyal, Advocate
for the applicant.

None for the respondent.

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/173/2024, titled '*Sandeep Kumar Vs. Madhumita*', filed by the respondent-husband, pending in the Family Court, Jind and she seeks transfer of the same to the Court of competent jurisdiction at Panipat.

As per the observations made in the order dated 13.02.2025, despite service, respondent did not make appearance. Even today, none has made appearance on his behalf. As such, the respondent 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 on 06.12.2021. One daughter was born from the said wedlock, who is about 1 year old and is in the care and custody of the applicant. On account of the matrimonial discord, the



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parties are residing separate. Even, the applicant has filed the petition under Section 13 of the Hindu Marriage Act, which is pending in the Courts at Panipat, at appearance stage. Also, it is submitted that the applicant has no source of earning and is dependent upon her parental family. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 70 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act, more particularly, while taking care of one year old daughter.

Considering the aforesaid submissions and also considering the fact about the respondent having not come forward to contest the application, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/173/2024, titled '*Sandeep Kumar Vs. Madhumita*', filed by the respondent-husband, stands transferred from the Family Court, Jind, to the Court of competent jurisdiction at Panipat. The requisite record of the aforesaid case be sent by the Family Court, Jind, to the District and Sessions Judge, Panipat.

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

10.03.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No