

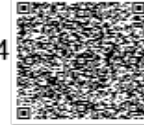


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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.466

TA-1651-2025

Date of Decision: 08.04.2026

RACHNA

....Applicant

Versus

RAHUL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Bhupender Singh, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 25.03.2026.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/364/2025, titled '*Rahul Vs. Rachna*', 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 Karnal.

In pursuance of notice issued, the respondent did not make appearance, despite service and as such, was proceeded against *ex parte*.

Counsel for the applicant heard.



At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 18.07.2021. One son born from the said wedlock, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and as such, is dependent upon her parental family. Even, she has filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which is pending in the Courts at Karnal. Therein, at first instance, the respondent was proceeded against *ex parte*, but however, now he has filed an application to seek setting aside of the *ex parte* proceedings and the same is pending adjudication. The distance between the two place is stated to be about 100 kms.

In view of the submissions aforesaid, more particularly, considering the applicant to be taking care of the minor child, who is bound to be school-going, as per his age, while she herself is not having any source of earning and taking into consideration the fact of other litigation, arising from the broken marriage, to be already pending in the Courts at Karnal, considering the conduct of the respondent, *vis-a-vis* the pending litigation, as well as considering the distance between the two places, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/364/2025, titled '*Rahul Vs. Rachna*', filed by the respondent-husband, stands transferred from the Family Court, Jind, to the Court of competent jurisdiction at Karnal. The requisite record of the



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aforesaid case be sent by the Family Court, Jind, to the District and Sessions Judge, Karnal.

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

08.04.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No