2026:HHC:22075

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CMPMO No. : 225 of 2026
Decided on : 15th June, 2026

Renu Bala …Petitioner

Versus

Rameshwar …Respondent

Coram

The Hon'ble Mr. Justice Virender Singh, Judge.

Whether approved for reporting?[1]

For the petitioner : Mr. Ashok Kumar Verma, Advocate.

For the respondent : None.

Virender Singh, Judge (Oral)

Notice issued against the respondent received back after due service. Despite service of notice, no one has appeared on behalf of the respondent, before this Court. Further, wait is not justifiable. As such, the present petition is being decided.

2. Petitioner–Renu Bala has approached this Court, by way of the present petition, under Section 24(1)(a) of the

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[1] *Whether Reporters of local papers may be allowed to see the judgment? Yes.*

Code of Civil Procedure (hereinafter referred to as 'the CPC'), with a prayer to transfer case No.HMA/28/2025, titled as Rameshwar versus Renu Bala, instituted by the respondent-husband before the Court of learned Additional Principal Judge, Family Court, Sarkaghat, District Mandi to the Court of learned Principal Judge, Family Court, Hamirpur, H.P.

3. According to the petitioner-wife, she was married to respondent-husband, on 07.05.2015. Out of the said wedlock, they have been blessed with a daughter namely Siya Goyal.

4. As per the petitioner-wife, initially, the relations between the husband and wife remained cordial, however, after some time, the behaviour of the respondent-husband suddenly changed and he has started maltreated the petitioner-wife, by beating her mercilessly and denied food and clothing. The respondent-husband always demanded dowry and money from the parents of the petitioner-wife. When, the petitioner-wife showed her inability to bring money and dowry articles from her parents, she was beaten by the respondent-husband and his family members.

5. According to the petitioner-wife, the respondent-husband and his family members always used to disgrace her, by saying that she is not suitable match for respondent and they will dissolve the marriage with her at any cost. The respondent-husband also threatened her to do away with her life.

6. It is the further case of the petitioner wife that the respondent-husband has filed petition, under Section 13(1)(i)(a) of the Hindu Marriage Act (hereinafter referred to as 'the Act'), bearing Case No. HMA/28/2025, before the learned Additional Principal Judge, Family Court, Sarkaghat, District Mandi.

7. According to the petitioner-wife, she has filed petition, under Section 125 Cr.PC and also filed Execution Petition for executing the interim order passed in the petition under Section 125 Cr.PC and award in the proceedings under the Domestic Violence Act, which are pending before the Court of learned Principal Judge, Family Court, Hamirpur, District Hamirpur.

8. It is the further case of the petitioner wife that she is a poor lady and presently residing in Village and Post Office Bohni, Tehsil and District Hamirpur and having no source of income and is compelled to visit the Court at Sarkaghat, which, according to her, is situated at a distance of about 50 kilometers.

9. Asserting the fact that the petitioner-wife is residing with her aged parents, who are not in a position to maintain her, according to the petitioner-wife, she has no financial support to bear the expenditure of litigation,

10. On the basis of the above facts, a prayer has been made to allow the petition.

11. Along with the present petition, the petitioner-wife has annexed the photocopy of the zimni orders, passed in the petition, filed by the respondent-husband, under Section 13(1) (ia) & (ib) of the Act. Despite service of notice, respondent-husband has not bothered to put appearance before this Court to controvert the allegations, which have been levelled in the transfer application. Meaning thereby, whatsoever asserted

by the petitioner-wife, which is duly supported by the affidavit, has not been controverted by the respondent-husband.

12. A poor lady cannot be compelled to contest the litigation, which has been filed for dissolution of marriage, that too, at a far away place i.e., Sarkaghat, as, according to her, she is having no source of income and is fully dependent upon her aged parents.

13. Considering the fact that the convenience of the wife is paramount consideration, in such type of matters, this Court is of the view that the present petition is liable to be allowed.

14. Consequently, the petition is allowed and the case bearing case No.***HMA/28/2025***, titled as ***Rameshwar*** *versus* ***Renu Bala***, pending adjudication before the Court of learned Additional Principal Judge, Family Court, Sarkaghat is transferred to the Court of learned Principal Judge, Family Court, Hamirpur, District Hamirpur, H.P.

15. Learned Principal Judge, Family Court, Hamirpur, District Hamirpur, H.P., is requested to proceed further, after securing the presence of both the parties.

16. Pending miscellaneous application(s), if any, shall also stand disposed of.

17. A copy of this order be sent to the Court of learned Additional Principal Judge, Family Court, Sarkaghat, District Mandi, as well as, to the Court of learned Principal Judge, Family Court, Hamirpur, District Hamirpur, H.P., for compliance.

(Virender Singh)
Judge

June 15, 2026*(ps)*