



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

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Transfer Application No.135 of 2026 (O & M)

Date of decision :-15.05.2026**Amit Kairon****.....Applicant****Versus****Sonika Dalal and others****.....Respondents****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Dhruv Sihag, Advocate
for the applicant.

Respondent proceeded against ex-parte (vide order dated
06.4.2026).

NIDHI GUPTA J. (Oral)

1. The present Transfer Application has been filed by the applicant-husband seeking transfer of petition bearing No. GW/36/2023 filed by respondents No.1 and 2 under Sections 18 and 20 of the Hindu Adoptions and Maintenance Act, 1956 (hereinafter referred to as “the Act”), titled as “Sonika and another vs. Amit Kairon and another”, presently pending before the Court of learned District & Sessions Judge, Kaithal, to a Court of competent jurisdiction at Hisar.

2. Despite service, none appeared on behalf of the respondents. Consequently, vide order dated 06.04.2026 passed by a predecessor Bench of this Court, the respondents were proceeded against *ex-parte*.



3. Learned counsel for the applicant submits that the marriage between the applicant and respondent No.1 was solemnized on 09.05.2017 and one daughter was born out of the said wedlock on 01.05.2018, who is presently residing with respondent No.1. Due to matrimonial discord, the parties have been residing separately since the year 2019.

4. It has further been submitted that multiple litigations between the parties are already pending at Hisar. The details thereof are as under:-

- (i) FIR No.224 dated 04.06.2019 under Sections 323, 406, 498-A and 506 IPC registered at Police Station Azad Nagar, Hisar;
- (ii) A petition under Section 125 Cr.P.C., which came to be dismissed in default vide order dated 16.12.2022;
- (iii) Proceedings under the Protection of Women from Domestic Violence Act, wherein the original complaint was dismissed in default and an application for restoration thereof is presently pending at Hisar; and
- (iv) A petition filed by the applicant-husband under Section 13 of the Hindu Marriage Act, which is also pending at Hisar.

5. Learned counsel for the applicant further submits that respondent No.1 was earlier residing at Hisar and, as per the information available with the applicant, she is presently residing at Chandigarh. It is, thus, contended that since the major litigations between the parties are already pending at Hisar, the petition under Sections 18 and 20 of the Act pending at Kaithal also deserves to be



transferred either to Hisar or to Chandigarh, keeping in view the convenience of respondent No.1.

6. I have heard learned counsel for the applicant and have gone through the record with his assistance.

7. A perusal of the order sheets shows that the respondents were proceeded against *ex-parte* vide order dated 06.04.2026 on account of their failure to appear despite service. The record further reveals that several proceedings arising out of the matrimonial dispute between the parties are already pending at Hisar. Consolidation of proceedings at one place would not only avoid multiplicity of litigation and conflicting proceedings, but would also serve the ends of justice and facilitate convenience of the parties.

8. Keeping in view the aforesaid facts and circumstances, this Court deems it appropriate to allow the present transfer application. Accordingly, the same is allowed subject to the following directions:-

- a) Petition bearing No. GW/36/2023 filed by respondents No.1 and 2 under Sections 18 and 20 of the Hindu Adoptions and Maintenance Act, 1956, titled "Sonika and another vs. Amit Kairon and another", pending before the Court of learned District & Sessions Judge, Kaithal, is transferred to a Court of competent jurisdiction at Hisar.
- b) The learned District Judge, Kaithal is directed to transmit the entire record pertaining to the aforesaid case to the learned District Judge, Hisar forthwith.



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- c) The parties are directed to appear before the learned District & Sessions Judge, Hisar on 16.06.2026.
- d) Upon receipt of the record, the learned District Judge, Hisar shall assign the matter to the Court of competent jurisdiction in accordance with law.

9. Since the present petition is being decided in the absence of the respondents, who have already been proceeded against ex-parte vide order dated 06.04.2026, it is considered appropriate, in the interest of justice, to ensure due intimation of the present order to them. Accordingly, a copy of this order be sent to the respondents through registered post at the addresses mentioned in the Memo of Parties. A copy of this order be also forwarded to the learned District Judges concerned through e-mail for necessary compliance.

10. The applicant, through learned counsel present in Court, is also directed to ensure his appearance before the transferee Court on the date fixed.

Disposed of accordingly.

May 15, 2026

Vijay Asija

**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned Yes / No
Whether Reportable Yes / No