



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

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**Transfer Application No. 598 of 2024
Date of decision:-12.05.2026**

Ram Niwas

.....Petitioner

vs

Neha Rani

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Parminder Singh, Advocate
for the petitioner.

Respondent proceeded against ex-parte (vide order dated
24.3.2026).

NIDHI GUPTA, J.(Oral)

1. Prayer in this petition filed by petitioner-husband is for transfer of the petition filed by respondent-wife under Sections 11 and 12 (i) (c) of the Hindu Marriage Act, 1955 (for short 'the Act') bearing HMA-190-2024 titled as "Neha Rani vs. Ram Niwas" (Annexure P-1) pending in the Court of Principal Judge, Family Court, Fatehabad to a Court of competent jurisdiction at Karnal.

Order sheets shows that notice of motion has not been issued in the present matter. However, on 29.10.2025, learned counsel for the respondent had withdrawn his Power of Attorney on behalf of respondent and vide order dated 24.3.2026 passed by a co-ordinate Bench of this Court, the respondent was proceeded against ex-parte. Accordingly, this petition is being decided in her absence.

2. Learned counsel for the petitioner submits :-



- i) That the marriage was run away marriage and the parties were married on 14.7.2022 according to Hindu rites and rituals.
- ii) No child was born out of the said wedlock.
- iii) That the parents of the respondent took away the respondent on the excuse of rituals and since then the parties are living separately.
- iv) That the proceedings arising out of petition(s) :-
 - (a) under Section 9 of the Hindu Marriage Act; filed by the petitioner-husband on 4.3.2024, are already pending before the Courts having competent jurisdictions at Karnal, in which, after receipt of summons in the said petition under Section 9 of the Hindu Marriage Act, in counter, the respondent-wife instituted a petition under Sections 11 and 12(i)(c) of the Hindu Marriage Act at Family Court, Fatehabad on dated 20.3.2024.
- v) That the petition filed by the respondent-wife also needs to be transferred to Karnal, as the petitioner faces imminent threat and danger to his life and liberty from the parents of the respondent-wife as marriage between the parties was solemnized without the consent of the parents of the respondent. In this regard petitioner has also filed a Police Complaint dated 22.4.2024 before the Superintendent of Police, Karnal (Annexure P-7).
- vi) That the distance between District Courts, Fatehabad, where the petition filed by respondent-wife is pending and District Karnal, where the petition under Section 9 of the Hindu Marriage Act, filed by the petitioner-husband is pending, is about 150 kilometers one side.
- vii) That in case the petition, which is subject matter of transfer in the present petition, is transferred to the Family Court, Karnal, it will not prejudice the rights of the respondent-wife.



3. It is *inter alia* on these grounds that petitioner prays for transfer of the case, as detailed in para 1 above.

4. I have heard learned counsel for the petitioner.

5. In view of the above, the present petition is allowed, subject to the following conditions:-

- a) The petition filed by the respondent-wife under Sections 11 and 12(i)(c) of the Hindu Marriage Act, 1955 bearing HMA-190-2024 (Annexure P-1), pending in the Family Court, Fatehabad is transferred to the Family Court at Karnal.
- b) The Id. District Judge, Fatehabad is directed to transfer complete record pertaining to the aforesaid case to Family Court at Karnal.
- c) The parties are directed to appear before the Family Court at Karnal on 15.6.2026.
- d) The District Judge, Karnal will assign the said petition to the Court of competent jurisdiction.

6. The concerned Family Court at Karnal will make all endeavour to refer the case before the Mediation and Conciliation Centre for exploring the possibility of some amicable settlement between the parties.

7. The Court concerned, where the litigation is pending between the parties, will accommodate them with one date in one calendar month.

8. As already noticed above, since the respondent is proceeded against ex-parte, and the present petition is being disposed of, accordingly, in these peculiar circumstances, in order to ensure appearance of the parties before the Presiding Officer, Family Court at Karnal on 15.6.2026, it is directed that a copy of this order be sent to



the respondent through registered post at her address as mentioned in the Memo of Parties, besides sending a copy of this order to the District Judge concerned through e-mail. Petitioner through his counsel, present in the Court, is directed to ensure his appearance accordingly.

9. Disposed of.

Pending application(s), if any, stands disposed of.

12.05.2026

Vijay Asija

**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

YES/NO
YES/NO