

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

TrP(C) No. 2/2024
CM No. 246/2024

Neha Thakur

.....Appellant(s)/Petitioner(s)

Through: Mr. Pawan Kumar Manni, Advocate.

vs

Gourav Singh

..... Respondent(s)

Through: None.

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER
10.08.2026

1. Through the medium of instant petition, the petitioner-wife is seeking transfer of the divorce petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, titled "*Gourav Singh vs. Neha Thakur*", from the court of learned Principal District Judge, Samba to the court of learned Principal Judge, Family Court, Jammu, on the ground that the petitioner is a resident of Village Kalyana, Tehsil R. S. Pura, District Jammu and is totally dependent upon her parents for her survival along with minor female child, who is a student of Nursery Class of SBP Public School, Kalyana, R. S. Pura.
2. It is further stated that the petitioner has no source of income to visit the court of learned Principal District Judge, Samba to attend the proceedings in the divorce petition, as such, she prays that the petition filed by the respondent be transferred from the court of learned

Principal District Judge, Samba to the court of learned Principal Judge, Family Court, Jammu.

3. Learned counsel for the petitioner submits that the petitioner has no source of income, as such, it is not practically possible for her to effectively contest the divorce petition filed by the respondent before the court of learned Principal District Judge, Samba.
4. In terms of order dated 31.05.2025, it was observed that Despite service, respondent has failed to appear before the Court. Today also, none has chosen to appear on behalf of the respondent. As such, the respondent is set *ex-parte*.
5. **Heard learned counsel for the petitioner.**
6. In view of the fact that the petitioner is a destitute lady with no source of income, totally dependent upon her parents for her survival and that the petitioner has to look after a minor school going child, more particularly in view of the fact that the petition filed by the petitioner has not been opposed by the respondent, this Court is of the considered view that the present petition deserves to be allowed.
7. In view of the above, the present petition is allowed and the petition filed by the respondent-husband, under Section 13 of the Hindu Marriage Act, titled “*Gourav Singh vs. Neha Thakur*” pending before the court of learned Principal District Judge, Samba is transferred to the court of learned Principal Judge, Family Court, Jammu.
8. Principal District Judge, Samba shall transmit the record of the petition titled “*Gourav Singh vs. Neha Thakur*” to the learned Principal Judge, Family Court, Jammu.

9. The transferee court shall issue notice to the parties and thereafter shall proceed in accordance with law.
10. **Disposed of along with the connected application.**

(RAJNESH OSWAL)
JUDGE

Jammu
10.08.2026
Sahil Padha

