



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA-28-2024(O&M)

Date of Decision: September 12, 2024

Mohinder Pal Kaur

...Applicant

Versus

Gurpreet Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Piyush Sharma, Advocate
for the applicant.

Respondent proceeded against ex-parte.

ARCHANA PURI, J.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act, filed by respondent-husband, which is pending in the Family Court, Sangrur and she seeks transfer of the same to the Court of competent jurisdiction at Ferozepur.

In pursuance of the notice issued by the Court, respondent did not make appearance and as such, he was proceeded against ex-parte.

Learned counsel for the applicant heard.

It is submitted by learned counsel for the applicant that marriage between the parties to the lis, had taken place on 05.02.2017, but no child was born from their wedlock. However, due to the matrimonial discord, the parties are residing separate. At present, the applicant is residing at parental house at Ferozepur. She has no source of earning. On



TA-28-2024

-2-

account of the matrimonial dispute, she had filed a petition under Section 12 of the Domestic Violence Act, which is already in the Court of CJM, Ferozepur.

In the given circumstances, it is difficult for the applicant to defend the petition, pending under Section 9 of the Hindu Marriage Act, pending at Sangrur, which is at a distance of about 130 Kms.

In view of the submissions made by learned counsel for the applicant and also considering the settled position of law about weightage to be given to the convenience of the applicant-wife and considering about the applicant, to be having no source of earning and also the distance between Ferozepur and Sangrur, the transfer application, as such, is hereby accepted and petition bearing No.HMA-524-2023, titled as 'Gurpreet Singh vs. Mohinder Pal Kaur', filed under Section 9 of the Hindu Marriage Act, stands transferred from the Family Court, Sangrur, to the Court of competent jurisdiction at Ferozepur. The requisite record of the aforesaid divorce petition shall be transferred by the Family Court, Sangrur to District and Sessions Judge, Ferozepur.

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

September 12, 2024
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No