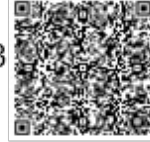


2024:PHHC:116268



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

TA-260-2024(O&M)

Date of Decision: September 05, 2024

Harpreet Kaur

...Applicant

Versus

Ranjit Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Ms.Prabhjot Kaur, 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, Bathinda and she seeks transfer of the same to the Court of competent jurisdiction at Sirsa.

In pursuance of the notice issued by the Court, respondent did not make appearance and was proceeded against ex-parte, vide order dated 16.05.2024.

Learned counsel for the applicant heard.

It is submitted by learned counsel for the applicant that the

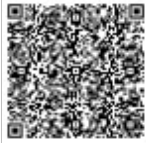
**TA-260-2024****-2-**

marriage had taken place between the parties to the lis on 10.12.2010, but no child was born from the wedlock. However, on account of matrimonial discord, the parties are residing separate.

To give quietus to the litigation, petition under Section 13B of the Hindu Marriage Act, was filed, on account of mutual settlement between the parties. Out of the settled amount of Rs.12 lakh, Rs.6 lakh was paid to the applicant by the respondent and statements of first motion were recorded. However, at the time of recording of the second statements, the respondent backed out to make the payment as settled and thus, the petition failed under Section 13B. Also, it is submitted that the applicant-wife is a housewife and has no source of earning.

In the given circumstances, it is submitted that it is difficult to the applicant to commute from Sirsa to Bathinda, which is at a distance of about 100 kms. to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions, made aforesaid and also considering the distance between Sirsa and Bathinda to be 100 kms. and looking at the convenience of the applicant-wife, in transfer application, in the case of matrimonial dispute, the present transfer application, as such, is hereby accepted and petition bearing No.DMC-1561-2023, titled as 'Ranjit Singh vs. Harpreet Kaur', filed under Section 9 of the Hindu Marriage Act, stands transferred from the Family Court, Bathinda to the Court of competent jurisdiction at Sirsa. The requisite record of the aforesaid divorce petition shall be transferred by the Family Court, Bathinda to District and



TA-260-2024

-3-

Sessions Judge, Sirsa.

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

September 05, 2024
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No