



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

Sr. No.105

TA-543-2024

Date of Decision: 28.08.2024

SUKHWINDER KAUR

....Applicant

Versus

JAGDEEP SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. J.S. Salana, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/138/2023, titled '*Jagdeep Singh Vs. Sukhwinder Kaur*', filed at the instance of respondent-husband, pending in the Family Court Samrala, District Ludhiana, to the Court of competent jurisdiction at Amloh, District Fatehgarh Sahib.

In pursuance of the notice issued, respondent did not make appearance, despite service. As such, he is proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that one child was born from the wedlock of the parties to the lis, who is presently in the care and custody of the respondent-husband. The applicant is residing with her parental family and is not having any independent source of earning. In these circumstances, it is submitted that it is difficult for the applicant to



defend the divorce petition, from a distance of about 50 kilometres. As such, a prayer has been made for transfer of the divorce petition, pending at Family Court Samrala, District Ludhiana, to the Court of competent jurisdiction at Amloh, District Fatehgarh Sahib.

Considering the submissions made aforesaid and also considering the fact about convenience of the wife to be taken into consideration, as per the settled law, without prejudice to the rights of the parties to be adjudicated on merits, the instant transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/138/2023, titled '*Jagdeep Singh Vs. Sukhwinder Kaur*', filed at the instance of respondent-husband, stands transferred from Family Court Samrala, District Ludhiana, to the Court of competent jurisdiction at Amloh, District Fatehgarh Sahib. The requisite record of the aforesaid case be sent by the Family Court Samrala, District Ludhiana, to the District and Sessions Judge, Fatehgarh Sahib.

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

28.08.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No