



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA-814-2024(O&M)
Date of Decision: November 04, 2024

Amandeep Kaur
...Applicant

Versus

Gurjeet Singh
...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Achin Gupta and Mr.Karan Bansal, Advocates
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, Barnala and she seeks transfer of the same to the Court of competent jurisdiction at Faridkot.

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.

At the very outset, it is submitted by learned counsel for the applicant that marriage between the parties to the lis, had taken place on 04.10.2016 and one daughter, now aged 7 years, was born from the said wedlock, who is presently in the care and custody of the applicant. On account of matrimonial discord, the parties are residing separate. Also, it is submitted that the applicant has no source of earning and as such, she has



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filed a petition under Section 125 Cr.P.C., which is pending in the Family Court, Faridkot and the respondent has already made appearance in the same.

Also, it is submitted that in the given circumstances, it is difficult for the applicant to commute a distance of about 90 kms., to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the aforesaid submissions made by learned counsel for the applicant and also considering preference to be given to the convenience of the wife, in case of transfer application, relating to the matrimonial dispute and more particularly, considering the child to be a school going child, who is in the care and custody of the applicant, the present transfer application, as such, is hereby accepted and petition titled as ‘Gurjeet Singh vs. Amandeep Kaur’, filed under Section 9 of the Hindu Marriage Act, stands transferred from the Family Court, Barnala, to the Court of competent jurisdiction at Faridkot. The requisite record of the aforesaid divorce petition shall be transferred by the Family Court, Barnala to District and Sessions Judge, Faridkot.

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

November 04, 2024
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No