

2024:PHHC:116674



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

TA-1414-2022(O&M)

Date of Decision: September 06, 2024

Navdeep Kaur

...Applicant

Versus

Jagdev Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.J.S.Mahal, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act, filed by respondent-husband, which is pending in the Camp Court, Bilaspur at Yamunanagar and she seeks transfer of the same to the Court of competent jurisdiction at Tarn Taran.

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

Learned counsel for the applicant heard.

It is submitted by learned counsel for the applicant that on 10.02.2008, marriage was performed between the applicant and the



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respondent. However, no child was born from the said wedlock. Both of them have adopted one female child, namely Bimaljeet Kaur, who is presently in the care and custody of the respondent.

However, due to matrimonial discord, the parties are residing separate. As a result of this matrimonial dispute, petition under Section 125 Cr.P.C. was filed by the applicant, which is pending at Family Court, Tarn Taran. The applicant had filed one complaint under Section 406 and 498 IPC against the respondent, which is also pending at Tarn Taran.

The distance between Tarn Taran and Yamunanagar is about 300 kms. The applicant is a housewife and totally dependent upon her old parents.

In view of the submissions made aforesaid and also considering the priority to be given to the convenience of the wife, in case of transfer proceedings, relating to the matrimonial dispute and more particularly, considering the distance between Tarn Taran and Yamunanagar to be about 300 kms., the present transfer application, as such, is hereby accepted and petition bearing No.HMA-94-2022, titled as 'Jagdev Singh vs. Navdeep Kaur', filed under Section 13 of the Hindu Marriage Act, stands transferred from the Camp Court, Bilaspur at Yamunanagar to the Court of competent jurisdiction at Tarn Taran. The requisite record of the aforesaid divorce petition shall be transferred by the Camp Court, Bilaspur at Yamunanagar to District and Sessions Judge, Tarn Taran.

Learned District and Sessions Judge, Tarn Taran shall assign the said petition to the Family Court, Tarn Taran. Even, the parties are



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directed to appear before the Family Court, Tarn Taran, within a period of one month from today onwards.

September 06, 2024
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No