



TA-11-2023 (O&M)

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

Sr. No.234**TA-11-2023 (O&M)****Date of Decision: 03.02.2025****NAVJOT KAUR****....Applicant****Versus****JAGTAR SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Ms. Srishti Shukla, Advocate for
Mr. Rajiv Joshi, 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 9 of the Hindu Marriage Act i.e. HMA/29/2022 titled “Jagtar Singh v/s Navjot Kaur”, filed by the respondent/husband, which is pending in Family Camp Court, Mukerian, District Hoshiarpur and she seeks transfer of the same to the court of competent jurisdiction at Jalandhar.

None has made appearance on behalf of the respondent today. Even, on the last three consecutive dates, none had made appearance on his behalf. As such, the respondent is proceeded against *ex parte*.

Counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties had solemnized on 01.03.2021, but no child was born from the said wedlock. However, due to matrimonial discord the parties are residing separate. Even, the applicant had filed petition under Section 12 of Domestic Violence Act, as well as petition under Section 125 Cr.P.C., which



TA-11-2023 (O&M)

are pending in the courts at Jalandhar and the respondent is making appearance in the same. Besides the same also, it is submitted that the applicant had got lodged one FIR under Sections 406 and 498 A IPC, against the respondent, after the filing of the transfer application, in which challan has been presented and the trial is pending in the courts at Hoshiarpur. Also, it is submitted that the applicant is not doing any work. As such, she is totally dependent upon her parental family.

In view of the aforesaid fact situation and also considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly while the applicant is not having any source of earning, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/29/2022 titled “*Jagtar Singh v/s Navjot Kaur*”, filed by the respondent-husband, stands transferred from the Family Camp Court, Mukerian, District Hoshiarpur, to the Court of competent jurisdiction at Jalandhar. The requisite record of the aforesaid case be sent by the Family Camp Court, Mukerian, District Hoshiarpur, to the District and Sessions Judge, Jalandhar.

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

(ARCHANA PURI)
JUDGE

03.02.2025
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Whether speaking/reasoned : Yes

Whether reportable : Yes/No