



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

Sr. No.107

TA-99-2024

Date of Decision: 27.02.2025

KIRAN BALA

....Applicant

Versus

VIKRAM SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Malvi Aggarwal, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 10.02.2025.

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/271/2023, titled '*Vikram Singh Vs. Kiran Bala*', filed by the respondent-husband, pending in the Family Court, Samana, District Patiala and she seeks transfer of the same to the Court of competent jurisdiction at Sangrur.

In pursuance of the notice issued, respondent did not make appearance and as such, was proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 28.04.2022, but no child was born from the said wedlock. On account of the matrimonial discord, the parties are residing separate. Even, the applicant had filed the petition under

Section 13 of the Hindu Marriage Act, which is pending in the Courts at



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Sangrur and the respondent is making appearance in the same. Also, it is submitted that the applicant is not working and as such, has no source of earning. She is totally dependent upon her aged parents. In the given circumstances, it is difficult for the applicant to commute a distance of about 60 kilometres, from the place of her residence, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the aforesaid fact situation, 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, when the respondent is not coming forth to contest the application, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/271/2023, titled '*Vikram Singh Vs. Kiran Bala*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Samana, District Patiala, to the Court of competent jurisdiction at Sangrur. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Samana, to the District and Sessions Judge, Sangrur.

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

27.02.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No