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

Sr. No.119**TA-131-2025****Date of Decision: 16.05.2025****RUPINDER KAUR****....Applicant****Versus****RAJDEEP SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Mayank Garg, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 08.05.2025, despite service, the respondent did not make appearance on that date. Even today, he has not made appearance. As such, the respondent is proceeded against *ex parte*.

The counsel for the applicant heard.

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/525/2024, titled '*Rajdeep Singh Vs. Rupinder Kaur*', filed by the respondent-husband, pending in the Family Court, Amritsar and she seeks



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transfer of the same to the Court of competent jurisdiction at Rupnagar.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 08.12.2018. One son born from the said wedlock, is in the care and custody of the respondent. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning. Moreover, at the time when the applicant was turned out of the matrimonial house, she was refrained to take the child with her. Even thereafter, the respondent and his family members never allowed the applicant, to meet her son. The applicant has filed the petition under Section 125 Cr.P.C. i.e. MNT-125/852/2023, which is pending in the Courts at Rupnagar, at appearance stage. The distance between the two places is about 200 kilometres.

In view of the submissions aforesaid, it is pertinent to mention that even though, the child is with the respondent, but however, it has been specifically submitted that she was not allowed to take the child, along with her. The applicant was turned out of the matrimonial house and thereafter, she was refrained from meeting her son. The petition under Section 125 Cr.P.C., filed at her instance, is already pending in the Courts at Rupnagar.

In view of the aforesaid fact situation, more particularly, taking into consideration the fact about the respondent having not come forward to resist the application and also considering the distance between the two places to be about 200 kilometres, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/525/2024, titled '*Rajdeep Singh Vs. Rupinder Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Amritsar, to the Court of



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competent jurisdiction at Rupnagar. The requisite record of the aforesaid case be sent by the Family Court, Amritsar, to the District and Sessions Judge, Rupnagar.

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

16.05.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No