



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

Sr. No.110

TA-314-2024

Date of Decision: 20.02.2025

GHUKKAR KAUR

....Applicant

Versus

SUKHDEEP SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Rajinder Yadav, Advocate and
Ms. Priya Singla, Legal Aid Counsel
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 09.12.2024.

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. DMC/684/2023, titled '*Sukhdeep Singh Vs. Ghukkar Kaur*', filed by the respondent-husband, pending in the Family Court, Bathinda and she seeks transfer of the same to the Court of competent jurisdiction at Barnala.

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 16.02.2019. One daughter born from the said wedlock, who is about 4 years old, is in the care and custody of the applicant. The applicant is not having any source of earning and is dependent upon her parental family. Even, she has filed the petition



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under Section 125 Cr.P.C. i.e. MNT/90/2023, which is pending in the Courts at Barnala, at appearange stage. In these circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 65 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid, 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 has not come forward to contest the application and also looking at the fact about the applicant taking care of the minor daughter, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/684/2023, titled '*Sukhdeep Singh Vs. Ghukkar Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Bathinda, to the Court of competent jurisdiction at Barnala. The requisite record of the aforesaid case be sent by the Family Court, Bathinda, to the District and Sessions Judge, Barnala.

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

20.02.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No