



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.114

TA-273-2025

Date of Decision: 13.11.2025

MANPREET KAUR

....Applicant

Versus

RASHPAL SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. H.S. Gharoo, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 29.10.2025.

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/244/2023, titled '*Rashpal Singh Vs. Manpreet Kaur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Nakodar, District Jalandhar and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

Upon notice issued, the respondent did not make appearance, despite service and as such, was proceeded against *ex parte*.

Counsel for the applicant heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on



14.12.2022, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and as such, is dependent upon her parental family. Even, she has filed the petition under Section 144 Bharatiya Nagarik Suraksha Sanhita, 2023 i.e. MNT/875/2024, as well as the petition under the Protection of Women from Domestic Violence Act i.e. COMA/299/2025, which are pending in the Courts at Ludhiana. Both the said cases are at appearance stage. Besides the same, the applicant has also got lodged an FIR bearing No.4 dated 18.11.2023, under Sections 406 and 498-A IPC, got lodged by the applicant at Women Police Station, Ludhiana and the same is pending investigation. The distance between the two places is stated to be about 47 kms.

While adjudicating on the transfer application relating to the the matrimonial dispute, various factors are required to be taken into consideration. Though, the Courts generally lean towards convenience of the wife, but however, it is not a thumb rule. In the case in hand, the applicant is not having any source of earning and she is dependent upon her parental family. On account of the matrimonial dispute, she has initiated two cases i.e. the maintenance petition, as well as the petition under the Protection of Women from Domestic Violence Act. Besides the same, she has also got lodged an FIR, which is still pending investigation.

In view of the aforesaid fact situation and above all, considering the fact about the respondent having not come forward to resist the application, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/244/2023, titled '*Rashpal Singh Vs.*



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Manpreet Kaur’, filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Nakodar, District Jalandhar, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Nakodar, to the District and Sessions Judge, Ludhiana.

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

13.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No