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2025:PHHC:159870



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

Sr. No.227

TA-340-2024

Date of Decision: 18.11.2025

KAMALJEET KAUR

....Applicant

Versus

SUKHDEV SINGH

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sabir Singh, Legal Aid Counsel
for the applicant.

Mr. Sahil Soi, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/1935/2023, titled '*Sukhdev Singh Vs. Kamaldeep 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 Khanna, District Ludhiana.

In pursuance of notice issued, the respondent made appearance through counsel. However, despite availing several opportunities and even the last opportunity, respondent did not file reply.

Counsel for the parties 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

29.01.2015. One son born from the said wedlock, who is about 9 years old,



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is in the care and custody of the applicant. On query by this Court, it is stated that the applicant is not working and as such, is dependent upon her parental family. Furthermore, it is submitted that FIR was also got lodged by the applicant, under Sections 406 and 498-A IPC in the Police Station City Nakodar, District Jalandhar and the same is pending investigation. Also, it is submitted that the applicant had filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Khanna, though, mention of the same is not made in the application. Further, it is submitted that the respondent is not making appearance in the maintenance petition and the Court concerned, was constrained to secure his presence by issuance of warrant of arrest. Also, the distance between the two places is stated to be about 90 kms.

Considering the aforesaid constrained circumstances, more particularly, considering the fact about the applicant taking care of the minor son, while herself having no source of earning, as well as the fact of other litigation, already pending in the Courts at Khanna and above it, considering the fact about the respondent not having come with any plea to resist the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/1935/2023, titled '*Sukhdev Singh Vs. Kamaldeep Kaur*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Nakodar, District Jalandhar, to the Court of competent jurisdiction at Khanna, District 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 (Camp Court) Khanna. Even, the parties are directed to appear before the Family Court (Camp Court) Khanna, within a period of one month from today onwards.

18.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No