



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

Sr. No.211**TA-402-2024****Date of Decision: 08.05.2025****HARINDER KAUR****....Applicant****Versus****GURMUKH SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Dinesh Mahajan, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the order dated 11.12.2024, respondent did not make appearance on that date, despite service. Today also, none has made appearance on his behalf. As such, respondent is proceeded against *ex parte*.

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/741/2023 titled “*Gurmukh Singh v/s Harinder Kaur*”, filed by the respondent/husband, which is pending in the courts at Gurdaspur and she seeks transfer of the same to the court of competent jurisdiction at Pathankot.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties was solemnized on 25.11.2017 and one son born from the said wedlock, aged about 7½ years, is in the care and custody of the applicant. On account of matrimonial dispute, the parties are residing separate. The applicant is not having any source of



earning and she is dependant upon her parental family. The applicant had filed petition under Section 125 Cr.P.C., which is pending in the courts at Pathankot and the respondent is making appearance in the same. In the given circumstances, a prayer for transfer of the petition under Section 9 of Hindu Marriage Act, has been made.

Considering the aforesaid and also taking into consideration the preference generally given by the courts to the convenience of the wife, more particularly, when the respondent has not come forward to resist the application and the petition under Section 125 Cr.P.C., already pending in the courts at Pathankot and also considering the fact that the applicant is taking care of the minor son, the transfer application, as such, is hereby allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/741/2023 titled “*Gurmukh Singh v/s Harinder Kaur*”, filed by the respondent/husband, stands transferred from the Family Court, Gurdaspur to the Family Court, Pathankot. The requisite record of the aforesaid case be sent by the Family Court, Gurdaspur to the District and Sessions Judge, Pathankot.

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

08.05.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No