



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

Sr. No.123

**TA-542-2024 (O&M)
Date of Decision: 13.02.2025**

KIRANDEEP KAUR

....Applicant

Versus

HARGOBIND SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. S.S. Brar, Advocate
for the applicant.

Mr. Ajay Pal Singh, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

CM-2475-CII-2025

The present application has been filed for placing on record the copy of the petition, filed for seeking maintenance.

In view of the averments made in the application, same is allowed and the requisite document is taken on record, as Annexure P-3.

Main case

The applicant-wife has filed the present application for seeking transfer of the petition under Section 11 read with Section 5(i) and 2(c) of the Hindu Marriage Act i.e. DMC/1417/2023, titled '*Hargobind Singh Vs. Kirandeep 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 Faridkot.

In pursuance of the notice issued, respondent made appearance through counsel. He submits that reply is not intended to be filed, but



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however, he contests the transfer application.

Learned counsel for the parties heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 23.11.2021. This was the second marriage of the applicant. One daughter born from the said wedlock, is in the care and custody of the applicant. The applicant is not having any source of earning and is totally dependent upon her parental family. Even, she has filed the complaint before S.S.P., Faridkot, for initiation of legal action against the respondent and his family members, which is still pending inquiry. She has also filed the maintenance petition in the Courts at Faridkot, copy whereof is Annexure P-3.

On the other hand, the counsel for the respondent, though has not filed reply, but he submits that the distance between the two places has been wrongly mentioned as 70 kilometres, whereas it is 60 kilometres, which is not a long distance.

In view of the aforesaid submissions made, the distance may be between 60-70 kilometres, but however, there is no other reason assigned for resisting the application. In fact, the applicant is not having any source of earning and also, she is taking care of the minor daughter, born from the wedlock of the parties.

In view of the aforesaid fact situation and also 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, the transfer application is allowed and the petition under Section 11 read with Section 5(i) and 2(c) of the Hindu Marriage Act i.e. DMC/1417/2023, titled '*Hargobind Singh Vs. Kirandeep Kaur*', filed by the respondent-husband,



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stands transferred from the Family Court, Bathinda, to the Court of competent jurisdiction at Faridkot. The requisite record of the aforesaid case be sent by the Family Court, Bathinda, to the District and Sessions Judge, Faridkot.

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

13.02.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No