



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

Sr. No.222

TA-556-2023

Date of Decision: 11.11.2025

KULWANT KAUR

....Applicant

Versus

BRIJ MOHAN SAINI

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. A.S.Manaise, Advocate for the applicant.

Mr. Aditya Jain, Advocate for the respondent.

ARCHANA PURI, J. (Oral)

At this stage, counsel for the respondent has given a statement that the respondent has no objection, if the transfer application is accepted and the divorce petition, as prayed for is transferred from Family Court, Faridabad to Gurdaspur.

From the contents of the application, it is evident that the petition under Section 125 Cr.P.C., is pending in the courts at Gurdaspur and the respondent is making appearance in the same. However, he has not made appearance in the petition under Section 12 of Protection of Women from Domestic Violence Act and has been proceeded against *ex parte* in the said case, which is also pending in the courts at Gurdaspur. Besides the same, as evident from the rejoinder, the respondent is also facing trial in the FIR No.127 dated 10.07.2023 under Sections 406, 498-A IPC, in the courts at Gurdaspur.



Considering the aforesaid factual position and also taking into consideration the statement given by the counsel for the respondent, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/80/2023, titled '*Brij Mohan Saini v/s Kulwant Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Faridabad, to the Court of competent jurisdiction at Gurdaspur. The requisite record of the aforesaid case be sent by the Family Court, Faridabad, to the District and Sessions Judge, Gurdaspur.

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

11.11.2025
Sonu Saini

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No