



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

Sr. No.216**TA-557-2024****Date of Decision: 04.04.2025****MANJEET KAUR****....Applicant****Versus****KRISHAN KUMAR****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Abhishek Masih, Advocate for the applicant.

None 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. HMA/314/2023 titled “Krishan Kumar v/s Manjeet Kaur”, filed by the respondent/husband, which is pending in Family Courts, Jagadhari, District Yamunanagar and she seeks transfer of the same to the court of competent jurisdiction at Ferozepur.

Perusal of the paperbook reveals that earlier the respondent had made appearance through counsel on 08.08.2024 and filed Memorandum of Appearance. Though, Power of Attorney was ordered to be filed, but however, needful had not been done. Even, no reply has been filed. Rather on the subsequent date, none had made appearance on behalf of the respondent. Today also, none has made appearance on his behalf. As such, respondent is proceeded against *ex parte*.

Counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties had solemnized on 14.12.2020, but no child was born



from the said wedlock. However, on account of matrimonial dispute, the parties are residing separate. It is further submitted that the applicant is working as a teacher on a temporary basis, in the government school at Ferozepur. Even, the salary certificate has been placed on record, which reveals about her salary to be Rs.13,983/- per month. It is submitted that on account of such meagre salary, it is difficult for the applicant to commute a distance of about 300 kms, to defend the divorce petition. Also, it is submitted that there is no other litigation pending between the parties.

In view of the aforesaid fact situation and also considering the position of law about preference given to the convenience of the wife in the transfer applications relating to the matrimonial disputes, more particularly, when the respondent has not come forward to contest the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/314/2023 titled “Krishan Kumar v/s Manjeet Kaur”, filed by the respondent-husband, stands transferred from the Family Court, Jagadhari, District Yamunanagar to the Court of competent jurisdiction at Ferozepur. The requisite record of the aforesaid case be sent by the Family Court, Jagadhari to the District and Sessions Judge, Ferozepur.

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

04.04.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	Yes/No