

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

Sr. No.247

TA-702-2024

Date of Decision: 13.01.2025

RANJANA SAINI

....Applicant

Versus

JODH SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ujval Mittal, Advocate
for the applicant.

Mr. Bhim Singh, Advocate
for the respondent.

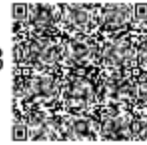
ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/167/2023, titled '*Jodh Singh Vs. Ranjana Saini*', filed by the respondent-husband, pending in the Family Court, SAS Nagar and she seeks transfer of the same to the Court of competent jurisdiction at Ambala.

In pursuance of the notice issued by the Court, respondent made appearance through counsel. However, the counsel for the respondent submits that he does not intend to file reply to the transfer application and he has no objection if the application is allowed and the divorce petition is transferred.

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 16.01.2020. One son was born from the said wedlock, who is about 3 years old and is in the care and



custody of the applicant. Even, the petition under Section 125 Cr.P.C. filed by the applicant, is pending in the Courts at Ambala. The applicant is not having any source of earning and is totally dependent upon her parents. Also, it is submitted that the respondent is a resident of Dubai.

In view of the aforesaid fact situation, considering the fact of other litigation already pending in the Courts at Ambala 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, more particularly considering the fact that the minor child is living with the applicant, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/167/2023, titled '*Jodh Singh Vs. Ranjana Saini*', filed by the respondent-husband, stands transferred from the Family Court, SAS Nagar, to the Court of competent jurisdiction at Ambala. The requisite record of the aforesaid case be sent by the Family Court, SAS Nagar, to the District and Sessions Judge, Ambala.

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

13.01.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No