



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

Sr. No.114**TA-747-2024****Date of Decision: 20.01.2025****HARDEEP KAUR****....Applicant****Versus****JATINDER SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. S.K. Bansal, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 13.01.2025.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. DMC/807/2022, titled '*Jatinder Singh Vs. Hardeep Kaur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Talwandi Sabo, District Bathinda and she seeks transfer of the same to the Court of competent jurisdiction at Barnala.

In pursuance of the notice issued, respondent did not make appearance and as such, he was proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 04.12.2021, but no child was born from the said wedlock. However, on account of the matrimonial discord, the parties are residing separate. The applicant is a housewife and has no independent source of earning . Even, the applicant has filed the



petition under Section 125 Cr.P.C., which is pending before the Family Court, Barnala and the same is pursued by the respondent. Even, the trial qua the FIR bearing No.181 of 2022, under Sections 406 and 498-A IPC, got lodged by the applicant at Police Station Dhanaula, District Barnala, is also pending in the Courts at Barnala and the respondent is making appearance in the same also. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 70 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

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 9 of the Hindu Marriage Act i.e. DMC/807/2022, titled '*Jatinder Singh Vs. Hardeep Kaur*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Talwandi Sabo, District Bathinda, to the Court of competent jurisdiction at Barnala. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Talwandi Sabo, to the District and Sessions Judge, Barnala.

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

20.01.2025
Himanshu

(ARCHANA PURI)
JUDGE

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