

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

Sr. No.113

TA-746-2024

Date of Decision: 20.01.2025

PARDEEP KAUR

....Applicant

Versus

GURSHER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Umesh Aggarwal, Advocate
for the applicant.

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

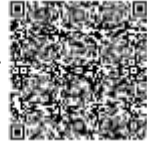
ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/130/2023, titled '*Gursher Singh Vs. Pardeep Kaur*', filed by the respondent-husband, pending in the Family Court, Tarn Taran and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.

In pursuance of the notice issued, respondent did not make appearance. 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 07.04.2019, but no child was born from the said wedlock. However, on account of the matrimonial discord, the parties are residing separate. The applicant has already filed the petition under Section 13 of the Hindu Marriage Act, which is pending in the Courts at Amritsar. The applicant is not having any source of earning.



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Rather, the respondent is working in the Indian Army and is getting a salary of Rs.50,000/- per month. Considering the same, a prayer has been made for transfer of the petition under Section 9 of the Hindu Marriage Act.

In view of the aforesaid fact situation, considering the fact about the applicant having no independent source of earning 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. HMA/130/2023, titled '*Gursher Singh Vs. Pardeep Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Tarn Taran, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court, Tarn Taran, to the District and Sessions Judge, Amritsar.

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

20.01.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No