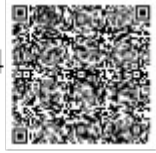


TA-734-2025

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2025:PHHC:153524



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

Sr. No.209

TA-734-2025

Date of Decision: 07.11.2025

JASMEET KAUR

....Applicant

Versus

AMANDEEP SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Veer Vikram Singh Mann, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 26.09.2025, despite service, the respondent did not make appearance on that date. Even on the subsequent date, he had not made appearance. Today also, he has not made appearance. As such, the respondent is proceeded against *ex parte*.

Counsel for the applicant heard.

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/664/2024, titled '*Amandeep Singh Vs. Jasmeet Kaur*', filed by the respondent-husband, pending in the Family Court, Moga and she seeks transfer of the same to the Court of competent jurisdiction at Patiala.



It is submitted by the counsel for the applicant that on account of the matrimonial dispute, the parties are residing separate. One daughter born from the wedlock of the parties to the lis, who is about 6 years old, is in the care and custody of the applicant. The applicant is not working and as such, she is totally dependent upon her parental family. Even, she has filed the petition under the Protection of Women from Domestic Violence Act i.e. COMA/1091/2025, as well as the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 i.e. MNT/108/2025, which are pending in the Courts at Patiala, at appearance stage. The distance between the two places is stated to be about 160 kms.

In view of the submissions aforesaid, it is pertinent to mention that generally, the Courts lean towards convenience of the wife, while adjudicating on the transfer application relating to the matrimonial dispute. There are various factors, which ought to be taken into consideration and the most important factor, relevant for the present application is about 6 years old daughter, to be in the care and custody of the applicant, who herself is not having any source of earning.

In view of the aforesaid fact situation, considering the fact of two other cases, arising from this matrimonial dispute already pending in the Courts at Patiala; the distance between the two places to be 160 kms. and above it, considering the fact about the respondent, having not come forward to resist the application, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/664/2024, titled '*Amandeep Singh Vs. Jasmeet Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Moga, to the Court of competent jurisdiction at Patiala. The requisite record of the aforesaid case be sent by



the Family Court, Moga, to the District and Sessions Judge, Patiala.

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

07.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No