



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.113

TA-818-2024
Date of Decision: 10.03.2025

SUMANPREET KAUR

....Applicant

Versus

PARBAT SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sumit Puri, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

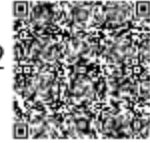
The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/93/2024, titled '*Parbat Singh Vs. Sumanpreet Kaur*', filed by the respondent-husband, pending in the Family Court, Malerkotla and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.

As per the observations made in the order dated 09.12.2024, despite service, respondent did not make appearance on that date. Even today, none has made appearance on his behalf. As such, the respondent is 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 12.12.2023. However, on



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account of the matrimonial discord, the parties are residing separate. Also, it is submitted by the counsel that when the applicant was on family way, on account of the ill-treatment meted out to her, at the instance of the respondent and his family, she had sought termination of the pregnancy, which was allowed vide order dated 17.05.2024, passed by this Court in CWP-10431-2024, copy whereof is Annexure A-3. Furthermore, it is submitted that the applicant has filed the petition under Section 13 of the Hindu Marriage Act, which is pending in the Family Court, Amritsar, at appearance stage. The applicant is not working and as such, it is submitted that it is difficult for her to commute a distance of about 200 kilometres, from the place of her residence, to defend the petition under Section 9 of the Hindu Marriage Act, which is pending in the Courts at Malerkotla. As such, a prayer has been made for transfer of the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid, considering the unwanted pregnancy, which was terminated with the intervention of this Court and also considering the fact about the applicant having no source of earning and totally dependent upon her parental family, more particularly, while considering the distance between the two places to be about 200 kilometres, it is just and expedient to accept the application. Consequently, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/93/2024, titled '*Parbat Singh Vs. Sumanpreet Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Malerkotla, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court, Malerkotla, 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.

10.03.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No