



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.120

TA-864-2024

Date of Decision: 20.03.2025

SAMITA GARG

....Applicant

Versus

VISHAL SINGLA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Kashish Garg, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 19.12.2024.

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/181/2024, titled '*Vishal Singla Vs. Samita Garg*', filed by the respondent-husband, pending in the Family Court (Camp Court) Jagraon, District Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Bathinda.

Upon notice, the respondent did not make appearance, despite service 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 03.07.2017, but no child was born from the said wedlock. It was the second marriage of both the applicant, as well as the respondent. However, on account of the matrimonial discord, the parties are residing separate. The applicant is not



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having any source of earning and is solely dependent upon her parental family. No other litigation is stated to be pending between the parties. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 120 kilometres, to defend the divorce petition, from the place of her residence.

In view of the submissions aforesaid 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 about the respondent not having coming forward to resist the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/181/2024, titled '*Vishal Singla Vs. Samita Garg*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Jagraon, District Ludhiana, to the Court of competent jurisdiction at Bathinda. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Jagraon, to the District and Sessions Judge, Bathinda.

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

20.03.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No