



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

**Sr. No.123**

**TA-910-2024**

**Date of Decision: 22.05.2025**

**G**

**....Applicant**

**Versus**

**JAGMOHAN SINGH**

**.....Respondent**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Nitin Sachdeva, Advocate  
for the applicant.

Respondent *ex parte*,  
vide order dated 12.05.2025.

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**ARCHANA PURI, J. (Oral)**

The applicant/wife has filed the present application for seeking transfer of the petition under Section 13(1) (ia) of the Hindu Marriage Act i.e. DMC/382/2023 titled “*Jagmohan Singh v/s Geeta Rani*”, filed by the respondent/husband, which is pending in Family Court (Camp Court), Rajpura, District Patiala and she seeks transfer of the same to the court of competent jurisdiction at Kharar, District SAS Nagar.

Despite service, the respondent did not make appearance and as such, was proceeded against *ex parte*.



TA-910-2024

It is submitted by the counsel for the applicant that the marriage between the parties was solemnized on 22.05.2023 but no child was born from the said wedlock. On account of matrimonial dispute, the parties are residing separate. The applicant is HIV positive, as a result whereof, the dispute arose between the parties. The applicant is not having any source of earning. She has also filed petition under Section 125 Cr.P.C., as well as complaint under Section 12 of Protection of Women from Domestic Violence Act, which are pending in the courts at Kharar and the respondent is pursuing both the said cases. It is also submitted that due to her medical ailment, it is difficult for the applicant to commute a distance of about 50 kms, from her place of residence.

In view of the aforesaid submissions, it is pertinent to mention that the applicant states about herself to be HIV positive, though no medical evidence, is there in the application. However, mention regarding the same, has been given in the petition under Section 13 of Hindu Marriage Act. Considering the same and taking into consideration the two other litigation, arising from the matrimonial dispute, already pending in the courts at Kharar, which are being pursued by the respondent, more particularly, when the respondent has not come forward to resist the application, the transfer application is hereby allowed and the petition under Section 13(1) (ia) of the Hindu Marriage Act i.e. DMC/382/2023 titled "*Jagmohan Singh v/s Geeta Rani*", filed by the respondent/husband, stands transferred from the Family Court, Rajpura, District Patiala to the Court of competent jurisdiction at Kharar, District SAS Nagar. The requisite record of the aforesaid case be sent by the Family Court, Rajpura to the District and Sessions Judge, SAS Nagar.



TA-910-2024

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

22.05.2025  
Sonu

(ARCHANA PURI)  
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No