



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

Sr. No.127

TA-932-2024

Date of Decision: 06.02.2025

GURJEET KAUR ALIAS GURJIT KAUR

....Applicant

Versus

GURINDER PAL SINGH KAHLON

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

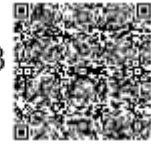
Present:- Ms. Anmol Thakur, Advocate for
Mr. Deepak Arora, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 23.01.2025.

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/175/2024, titled '*Gurinder Pal Singh Kahlon Vs. Gurjit Kaur*', filed by the respondent-husband, pending in the Family Court, Hoshiarpur and she seeks transfer of the same to the Court of competent jurisdiction at Batala, District Gurdaspur.

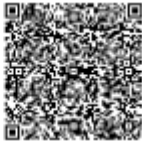
In pursuance of the notice issued, respondent did not make appearance and as such, he was proceeded against *ex parte*.



Learned counsel for the applicant heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 11.12.2021, but no child was born from the said wedlock. However, due to the matrimonial discord, the parties are residing separate. The applicant has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Batala. Besides the same, an FIR bearing No.27 dated 13.04.2024, under Section 498-A IPC, was got lodged by the applicant at Police Station Sekhwan, District Batala, wherein challan has been presented and the respondent is facing trial in the same, in the Courts at Batala. Also, she has filed the petition under the Protection of Women from Domestic Violence Act, which is also pending in the Courts at Batala. Since the applicant has no source of earning and is dependent upon her parental family, it is difficult for her to commute a distance of about 118 kilometres, to defend the divorce petition.

In view of the aforesaid fact situation 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 that the respondent has not come forward to contest the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/175/2024, titled '*Gurinder Pal Singh Kahlon Vs. Gurjit Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Hoshiarpur, to the Court of competent jurisdiction at Batala, District Gurdaspur. The requisite record of the aforesaid case be sent by the Family Court, Hoshiarpur, to the District and Sessions Judge, Gurdaspur.



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

06.02.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No