

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

Sr. No.110

TA-950-2024

Date of Decision: 03.03.2024

PARMINDER KAUR

....Applicant

Versus

INDERPREET SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

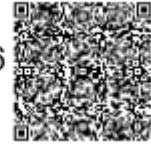
Present:- Mr. Kirat Pal Dhaliwal, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/23/2024, titled '*Inderpreet Singh Vs. Parminder Kaur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Rajpura, District Patiala and she seeks transfer of the same to the Court of competent jurisdiction at Samrala, District Ludhiana.

As observed in the order dated 07.02.2025, service of the respondent was duly effected. However, none had made appearance on behalf of the respondent, on that date. Even today, none has made appearance on his behalf, despite the case having called twice. As such, the

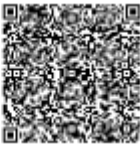


respondent is proceeded against *ex parte*.

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 10.08.2016, but no child was born from the said wedlock. However, on account of the matrimonial discord, the parties are residing separate. The applicant is not doing any work and as such, has no independent source of earning. She is totally dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., for seeking maintenance, which is pending in the Courts at Samrala and the respondent is making appearance in the same. Likewise, she has also filed the petition under Section 12 of the Protection of Women from Domestic Violence Act, which is also pending in the Courts at Samrala and the respondent is making appearance in the same also. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 65 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 respondent having not come forward to resist the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/23/2024, titled '*Inderpreet Singh Vs. Parminder Kaur*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Rajpura, District Patiala, to the Court of competent jurisdiction at Samrala, District Ludhiana. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Rajpura, to the District and Sessions Judge, Ludhiana.



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

03.03.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No