



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

Sr. No.358

TA-1025-2024

Date of Decision: 29.10.2025

PRABJOT KAUR AND ANR

....Applicants

Versus

PARGAT SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. K.S.Dhillon, Advocate
for the applicant.

Mr. Ishan Thakur, Advocate for
Mr. L.S.Sidhu, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicants (daughter-in-law and grand son) have filed the present application for seeking transfer of the suit under Order 33 Rule 1 CPC read with Section 19 of Hindu Adoption and Maintenance Act, 1956, pending in Family Courts, Sardulgarh, District Mansa and they seek transfer of the same to the Court of competent jurisdiction at Malout, District Sri Muktsar Sahib.

In pursuance of notice issued, the respondent made appearance through counsel and filed the reply.

Counsel for the parties heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage of applicant No.1 with Jatwinder Singh son of the respondent, had taken place on 04.02.2015. Unfortunately, he had died on



29.08.2017 and thereupon, the dispute arose between the applicants and the respondent. On account of this dispute, applicant No.1 along with the child, is residing with her parental family at Sardulgarh, District Mansa. The applicant is not having any source of earning. The distance between the two places is stated to be about 150 kms. The applicant has also filed petition under Section 12 of Protection of Women from Domestic Violence Act, which is pending in the courts at Sardulgarh, District Mansa and the respondent is pursuing the said litigation. As such, it is submitted that it is difficult for the applicant No.1, to commute a distance of about 150 kms, more particularly, while taking care of the minor son.

On the other hand, counsel for the respondent while making reference to the reply submits that the distance is only about 97 kms and the respondent is also an aged person. As such, he makes prayer for the dismissal of the transfer application.

Considering the aforesaid mitigating circumstances as pointed out by the counsel for the applicants, more particularly, considering the minor child to be in the care and custody of applicant No.1, who herself is not having any source of earning and upon whom the litigation has been thrust upon after the death of her husband, as well as taking into consideration the distance between the two places, the transfer application is allowed and the suit under Order 33 Rule 1 CPC read with Section 19 of Hindu Adoption and Maintenance Act, 1956, stands transferred from the Family Court, Sardulgarh, District Mansa, to the Family Court, Malout, District Sri Muktsar Sahib. The requisite record of the aforesaid case be sent by the Family Court, Sardulgarh, to the District and Sessions Judge, Sri Muktsar Sahib.



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

29.10.2025
Sonu Saini

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No