



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

Sr. No.205

TA-1020-2024

Date of Decision: 19.03.2025

DIKSHA

....Applicant

Versus

SUKHPAL SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Vaibhav Sharma, Advocate for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the previous order dated 09.12.2024, despite service, the respondent did not make appearance on that date. Even today, none has made appearance on his behalf. As such, the respondent is proceeded against *ex parte*.

The counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/94/2024, titled '*Sukhpal Singh Vs. Diksha*', filed by the respondent-husband, pending in the Family Court (Camp Court) Sunam, District Sangrur and she seeks transfer of the same to the Court of competent jurisdiction at Patiala.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 17.10.2022, but no child was born from the said wedlock. However, on account of the matrimonial discord, the parties are residing separate. The applicant is having no source



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of earning and is totally dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., copy whereof is Annexure P-3, which is pending in the Courts at Patiala and the respondent has not made appearance in the same. The said case is fixed for *ex parte* evidence, at present. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 70 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

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, when the respondent has not come forward to resist the application, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/94/2024, titled '*Sukhpal Singh Vs. Diksha*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Sunam, District Sangrur, to the Court of competent jurisdiction at Patiala. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Sunam, to the District and Sessions Judge, Patiala.

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

(ARCHANA PURI)
JUDGE

19.03.2025

Himanshu

Whether speaking/reasoned : Yes

Whether reportable : Yes/No