



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

Sr. No.101 (2 cases)

Date of Decision: 03.11.2025

1.

TA-1204-2023

HARPREET KAUR

....Applicant

Versus

GURPINDER SINGH AND OTHERS

.....Respondents

2.

TA-231-2025

HARPREET KAUR

....Applicant

Versus

GURPINDER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. K.S. Brar, Advocate
for the applicant (in both the cases).

Contesting respondent proceeded against *ex parte*
vide order dated 31.10.2025 (in both the cases).

ARCHANA PURI, J. (Oral)

Vide this order, I shall dispose of two applications, filed by
Harpreet Kaur-applicant/wife, for seeking transfer of the litigation, pending
between the parties to the lis.

TA-1204-2023 has been filed for seeking transfer of the civil



TA-1204-2023 AND TA-231-2025

suit i.e. CS/359/2023, titled '*Gurpinder Singh Vs. Harpreet Kaur and others*'.

TA-231-2025 has been filed for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/72/2023, titled '*Gurpinder Singh Vs. Harpreet Kaur*'.

Both the aforesaid cases are pending in the Courts at Batala, District Gurdaspur and the applicant is seeking transfer of the same to the Court of competent jurisdiction at Faridkot.

In pursuance of the notice issued, contesting respondent/husband did not make appearance despite service and as such, was proceeded against *ex parte* in both the applications.

Counsel for the applicant heard.

For the convenience of discussion, the memorandum of parties shall be referred, as pleaded in TA-1204-2023.

At the very outset, it is submitted by the counsel for the applicant that the marriage of the applicant had taken place with respondent No.1, on 14.06.2021. One daughter born from the said wedlock, is in the care and custody of the applicant. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is residing at her parental place. Further, it is submitted that on account of this dispute, even the applicant has filed the petition under the Protection of Women from Domestic Violence Act, as well as the petition under Section 125 Cr.P.C., which are pending in the Courts at Faridkot and the respondent No.1/husband, who is the sole contesting respondent, is pursuing both the said cases. In fact, the counsel has drawn the attention of this Court to the order dated 20.12.2024, passed by learned Family Court, Faridkot, whereby



TA-1204-2023 AND TA-231-2025

interim maintenance was affixed, but however, it is submitted that despite order passed, no interim maintenance has been paid to the applicant, by respondent No.1. In these circumstances, the applicant was constrained to file the execution petition, which is pending in the Courts at Faridkot. The distance between the two places is stated to be about 260 kms.

Keeping in view the aforesaid constrained circumstances, more particularly, taking into consideration the fact of the respondent not paying interim maintenance as fixed by learned Family Court, despite himself pursuing the petition and also considering the fact about the respondent having not come forward to resist the applications, both the transfer applications i.e. TA-1204-2023 and TA-231-2025 are hereby allowed and the civil suit i.e. CS/359/2023, titled '*Gurpinder Singh Vs. Harpreet Kaur and others*', as well as the petition under Section 13 of the Hindu Marriage Act i.e. HMA/72/2023, titled '*Gurpinder Singh Vs. Harpreet Kaur*', stand transferred from the Courts at Batala, District Gurdaspur, to the Court of competent jurisdiction at Faridkot. The requisite record of the aforesaid cases be sent by the Court concerned at Batala, to the District and Sessions Judge, Faridkot.

Learned District and Sessions Judge, Faridkot, shall assign the said cases to the Court of competent jurisdiction at Faridkot. Even, the parties are directed to appear before the Court(s) concerned, within a period of one month from today onwards.

03.11.2025

Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No