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

Sr. No.211**TA-1205-2023****Date of Decision: 04.04.2025****HARJEET KAUR ALIAS HARJIT KAUR****....Applicant****Versus****JAGDEEP SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Vipul Babuta, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

Perusal of the last order dated 04.03.2025 reveals that despite service, the respondent did not make appearance, on that date. Even today, the respondent has not made appearance. 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/299/2023, titled '*Jagdeep Singh Vs. Harjit Kaur*', filed by the respondent-husband, pending in the Family Court, Moga and she seeks



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transfer of the same to the Court of competent jurisdiction at Jagraon, District Ludhiana.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 28.05.2023, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant had filed the petition under Section 12 of the Hindu Marriage Act, which is pending in the Courts at Jagraon and the respondent is making appearance in the same. Besides the same, even she had filed on complaint before the S.S.P., Jagraon, which is pending inquiry.

On query by the Court, it is submitted by the counsel for the applicant that the applicant is not having any source of earning and is dependent upon her parental family.

In view of the submissions aforesaid, considering the position of law about preference given to the convenience of the wife in the transfer applications relating to the matrimonial disputes, more particularly, when the applicant is taking care of the minor son and also considering the fact about other litigation arising from this matrimonial dispute already pending in the Courts at Barnala, which is pursued by the respondent, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/299/2023, titled '*Jagdeep Singh Vs. Harjit Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Moga, to the Court of competent jurisdiction at Jagraon, District Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Moga, to the District and Sessions Judge, Ludhiana.



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

04.04.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No