



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

Sr. No.101**TA-1304-2023****Date of Decision: 21.11.2025****PRABHPREET KAUR****....Applicant****Versus****KULWANT SINGH AND OTHERS****.....Respondents****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Geeteshwar Saini, Advocate for
Ms. Sukhveer Kaur, Advocate
for the applicant.

Ms. Parul Panchal, Legal Aid Counsel
for respondent No.1.

Respondents No.2 to 4 and 7 proceeded against *ex parte*
vide order dated 22.01.2025.

None for proforma respondents No.5 and 6.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the civil suit i.e. CS/2366/2023, titled '*Kulwant Singh v/s Anoop Singh etc*', filed by respondent No.1, pending in the courts at Amritsar and she seeks transfer of the same to the Court of competent jurisdiction at Gurdaspur.

Upon notice, respondent No.1 made appearance through legal aid counsel and filed the reply.

Counsel for the parties heard.



At the very outset, it is submitted by the counsel appearing on behalf of the applicant that the marriage between the applicant and respondent No.1, had taken place in the year 2012. One son born from the said wedlock, who is about 8 years old, is in the care and custody of the applicant. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and is dependent upon her parental family. She has filed petition under Section 125 Cr.P.C., which is pending in the courts at Gurdaspur and furthermore, it is submitted that the distance between the two places is about 120 kms. Even, the respondent had performed second marriage with one Alka d/o Madan Masih, during the subsistence of first marriage.

On the other hand, legal aid counsel while making reference to the reply submits that respondent No.1 is not financially sound and therefore, it is difficult for him also to pursue the suit filed, at his instance, if so transferred to Gurdaspur. In the given circumstances, she makes prayer for dismissal of the transfer application.

In view of the aforesaid submissions, it is pertinent to mention that there is matrimonial dispute between the applicant and respondent No.1 and petition under Section 125 Cr.P.C. filed at the instance of the applicant is already pending in the courts at Gurdaspur and the respondent is pursuing the same.

Taking into consideration the fact of the applicant not having any source of earning and taking care of the minor child, born from the estranged marriage as well as fact of one another litigation, already pending in the courts at Gurdaspur, which is being pursued by respondent No.1, the



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transfer application is hereby allowed and the civil suit i.e. CS/2366/2023, titled '*Kulwant Singh v/s Anoop Singh etc*', filed by respondent No.1, stands transferred from the court of Additional Civil Judge (Sr. Divn), Amritsar to the court of competent jurisdiction at Gurdaspur. The requisite record of the aforesaid case be sent by the court of Additional Civil Judge (Sr. Divn), Amritsar to the District and Sessions Judge, Gurdaspur.

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

21.11.2025

Sonu Saini

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No