



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

Sr. No.114

TA-1239-2024

Date of Decision: 28.04.2025

PREETI JAIN

....Applicant

Versus

SUMIT JAIN

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Navdeep Jain, Advocate for
Mr. Sunny K. Singla, Advocate
for the applicant.

Mr. Ajay Kumar Sharma, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act, titled '*Sumit Jain Vs. Preeti Jain*', filed by the respondent-husband, pending in the Family Court, Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Patiala.

Mr. Ajay Kumar Sharma, Advocate, had already filed Power of Attorney, on behalf of the respondent, before the Registry and the same is taken on record. At this stage, the counsel for the respondent submits that he has no objection, if the transfer application is accepted and the divorce petition is transferred from Ludhiana to Patiala.

In view of the submission aforesaid, it is pertinent to mention that on account of the matrimonial dispute between the parties, there are two cases, already pending in the Courts at Patiala i.e. petition under Section 12



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of the Protection of Women from Domestic Violence Act, as well as the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and the respondent is making appearance in the same. As such, it is difficult for the applicant to commute a distance of about 100 kilometres, to defend the divorce petition.

In view of the aforesaid fact situation and considering the fact about the applicant having no source of earning, more particularly, in view of the statement given by the counsel for the respondent, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act, titled '*Sumit Jain Vs. Preeti Jain*', filed by the respondent-husband, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Patiala. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, 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.

28.04.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No