



TA-1319-2024 (O&M)

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

Sr. No.120

**TA-1319-2024 (O&M)
Date of Decision: 05.03.2025**

PRABHJOT

....Applicant

Versus

MANJEET MASIH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Pooja, Advocate for
Mr. Ritesh Pandey, Advocate
for the applicant.

Respondent *ex parte*, vide order dated 27.02.2025.

ARCHANA PURI, J. (Oral)

The applicant/wife has filed the present application for seeking transfer of the petition under Section 10 of Indian Divorce Act, titled “Manjeet Masih v/s Prabhjot”, filed by the respondent/husband, which is pending in the courts at Amritsar and she seeks transfer of the same to the court of competent jurisdiction at Gurdaspur.

In pursuance of the notice issued, respondent did not make appearance and as such, was proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 13.03.2019. One son born from the said wedlock, who is about four years old, is in the care and custody of the applicant. On account of the matrimonial discord, the parties are residing separate, as the respondent is having illicit relationship with



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some other women. Also, it is submitted that the applicant has got lodged one FIR against the respondent under Sections 406, 498-A IPC at Police Station Dina Nagar, in which respondent is facing trial. Also, it is submitted that the applicant is not having any source of earning and as such, it is difficult for her to defend the divorce petition.

In view of the aforesaid fact situation 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, considering the fact about the respondent having not come forward to contest the application, the transfer application is allowed and the petition under Section 10 of Indian Divorce Act, titled “Manjeet Masih v/s Prabhjot”, filed by the respondent/husband, stands transferred from the Family Court, Amritsar, to the Court of competent jurisdiction at Gurdaspur. The requisite record of the aforesaid case be sent by the Family Court Amritsar to the District and Sessions Judge, Gurdaspur.

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

05.03.2025
Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No