



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.124

TA-1341-2024

Date of Decision: 20.03.2025

GAGANDEEP KAUR

....Applicant

Versus

JAGSIR SINGH @ JAGGI

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Rajesh Bhatheja, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the previous order dated 22.01.2025, despite service, the respondent did not make appearance on that date. Even today, none has made appearance on his behalf. 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 13 of the Hindu Marriage Act i.e. DMC/989/2024, titled '*Jagsir Singh @ Jaggi Vs. Gagandeep Kaur*', filed by the respondent-husband, pending in the Family Court, Bathinda and she seeks transfer of the same to the Court of competent jurisdiction at Moga.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 03.11.2023, but no child was born from the said wedlock. However, due to the matrimonial discord, the parties are residing separate. The applicant has no source of earning and



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is totally dependent upon her parental family. Even, she has filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which is pending in the Courts at Moga and the respondent is pursuing the said petition. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 80 kilometres, to defend the divorce petition, more particularly, while she is not having any source of earning.

In view of the submissions aforesaid, considering the fact about the respondent not having come forward to resist the application and also considering the fact about the applicant having no source of earning, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/989/2024, titled '*Jagsir Singh @ Jaggi Vs. Gagandeep Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Bathinda, to the Court of competent jurisdiction at Moga. The requisite record of the aforesaid case be sent by the Family Court, Bathinda, to the District and Sessions Judge, Moga.

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

20.03.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No