



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

208

TA-1386-2024(O&M)
Date of Decision: July 16, 2025

Jaswinder Kaur

...Applicant

Versus

Amritpal Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.K.S.Brar, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J.

Perusal of the Court file reveals that on 30.01.2025, the respondent had made appearance through counsel, who had tendered memo of appearance. Thereafter, despite direction, Power of Attorney was not filed. Even reply was not filed. In fact, none had made appearance on behalf of the respondent thereafter. Even today, none has made appearance on behalf of the respondent. As such, the respondent is proceeded against *ex parte*.

Counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13(1) of the Hindu Marriage Act, filed

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by respondent-husband bearing No.HMA-121-2024, titled 'Amritpal Singh vs. Jaswinder Kaur', which is pending in the Family Court, Giddarbaha, District Sri Muktsar Sahib and she seeks transfer of the same to the Court of competent jurisdiction at Faridkot.

It is submitted by learned counsel for the applicant that marriage between the parties to the lis, had taken place on 24.02.2014 and two daughters born from the said wedlock, who are aged about 9 years and 3 years, are in care and custody of the applicant. On account of matrimonial dispute, the parties are residing separate. Also, it is submitted that the applicant is not having any source of earning and is dependent upon her parental family. The applicant has filed petition under Section 125 Cr.P.C., which is pending in the Family Court, Faridkot. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 100 kms. to defend the divorce petition pending at Gidderbaha.

In the light of the mitigating circumstances, as stated aforesaid and also, taking into consideration the very fact of respondent, not coming forward to contest the transfer application and moreover, taking into the consideration the fact of one case already pending in the Family Court, Faridkot, the transfer application is allowed and the petition under Section 13(1) of the Hindu Marriage Act, filed by respondent-husband bearing No.HMA-121-2024, titled 'Amritpal Singh vs. Jaswinder Kaur', stands transferred from the Family Court, Giddarbaha, to the Court of competent jurisdiction at Faridkot. The requisite record of the aforesaid case be sent by the Family Court, Giddarbaha, to the District and Sessions Judge, Faridkot.



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

July 16, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No