



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

Sr. No.230

TA-1653-2023

Date of Decision: 07.01.2025

RANDEEP KAUR

....Applicant

Versus

HARWINDER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. V.K. Sandhir, Advocate
for the applicant.

Mr. Kushagra Mahajan, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act, titled '*Harwinder Singh Vs. Randeep Kaur*', filed by the respondent-husband, pending in the Family Court Gurdaspur and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.

In pursuance of the notice issued, respondent made appearance through counsel and filed reply.

Learned counsel for the parties heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 07.11.2021, but no child was born from the said wedlock. However, due to the matrimonial discord, the parties are residing separate. Even, the applicant had filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Amritsar and the respondent is making appearance in the



same. Also, it is submitted that the respondent is working as a Constable in the Punjab Police. The applicant is not having any source of earning and as such, it is difficult for her to commute a distance of about 80 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

On the contrary, the counsel for the respondent resisted the claim of the applicant. In fact, it is submitted that on account the respondent being in government job, it shall be difficult for him to pursue the petition, if so transferred to the Courts at Amritsar.

In view of the submissions aforesaid 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, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act, titled '*Harwinder Singh Vs. Randeep Kaur*', filed by the respondent-husband, stands transferred from the Family Court Gurdaspur, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court, Gurdaspur, to the District and Sessions Judge, Amritsar.

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

07.01.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No