



TA-1589-2024

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

Sr. No.111**TA-1589-2024****Date of Decision: 04.04.2025****MANJIT KAUR****....Applicant****Versus****BHUPINDER SINGH DHALIWAL****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Ms. Neetu Singh Aashat, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 28.03.2025, despite service, the respondent did not make appearance on that date. Even today, he has not made appearance. 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. HMA/566/2024, titled '*Bhupinder Singh Dhaliwal Vs. Manjit Kaur*', filed by the respondent-husband, pending in the Family Court, Barnala and she



TA-1589-2024

seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 23.11.2014, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and is totally dependent upon her parental family. Even, she has filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as well as the petition under the Protection of Women from Domestic Violence Act, which are pending in the Courts at Ludhiana and the respondent is making appearance in the same. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of approximately 85 kilometres, to defend the divorce petition.

In view of the submissions aforesaid and also considering the fact about the respondent having not come forward to resist the application, more particularly, considering the fact of two other cases arising from the matrimonial dispute already pending in the Courts at Ludhiana, which are being pursued by the respondent, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/566/2024, titled '*Bhupinder Singh Dhaliwal Vs. Manjit Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Barnala, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Barnala, to the District and Sessions Judge, Ludhiana.



TA-1589-2024

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

04.04.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No