



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

Sr. No.227

TA-1573-2024

Date of Decision: 17.10.2025

GURDEEP KAUR

....Applicant

Versus

PALWINDER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Manoj R. Sharma, Advocate
for the applicant.
(Through video conferencing).

Respondent *ex parte* vide order dated 30.09.2025.

ARCHANA PURI, J. (Oral)

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/1138/2024, titled '*Palwinder Singh v/s Gurdeep 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 Batala.

Upon notice, the respondent did not made appearance and was proceeded against *ex parte*.

Counsel for the applicant 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 07.04.2009. One daughter born from the said wedlock, who is about 15 years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant together with her daughter, is residing at her matrimonial house at Batala, along with the mother of the respondent. However, the respondent while pursuing post retiral job, is living at Bathinda.

It is further submitted that the daughter is studying in the school at Batala and the applicant is not having any source of earning. She has also filed petition under Section 144 of Bharatiya Nagarik Surkasha Sanhita and complaint under Section 12 of Protection of Women from Domestic Violence Act, which are pending in the courts at Batala. In both the aforesaid cases, the respondent is evading service.

Considering the aforesaid constrained circumstances, more particularly, considering the school going grown up daughter to be in the custody of the applicant, as well as the fact of of the mother-in-law of applicant staying with the applicant, in the matrimonial house as well as the distance between the two places to be 225 kms and above all, the respondent has not come forward to resist the transfer application, the same is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/1138/2024, titled '*Palwinder Singh v/s Gurdeep Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Bathinda, to the Court of competent jurisdiction at Batala. The requisite record of the aforesaid case be sent by the Family Court, Bathinda, to the District and Sessions Judge, Batala.



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

17.10.2025
Sonu Saini

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No