



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

Sr. No.113

TA-1595-2024

Date of Decision: 27.03.2025

POONAM

....Applicant

Versus

KINMANDER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Lovepreet Singh Sidhu, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 19.03.2025, 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 9 of the Hindu Marriage Act i.e. DMC/262/2024, titled '*Kinmander Singh Vs. Poonam*', 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 Faridkot.



It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 02.04.2023. One daughter born from the said wedlock, who is about 1 year old, is in the care and custody of the applicant. Also, it is submitted that the applicant is working as Multipurpose Health Worker at Health Wellness Centre at Village Sukhanwala, PHC Jand Sahib, District Faridkot and her timings are very demanding i.e. from 9:00 a.m. to 3:00 p.m. Besides the same, it is submitted that the applicant had filed the complaint under Sections 12, 17, 18, 19, 20, 21 and 22 of the Protection of Women from Domestic Violence Act i.e. COMA/72/2024, which is in the Courts at Faridkot and the respondent is making appearance in the same. Also, it is submitted that the distance between Bathinda and Faridkot is about 60 kilometres.

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, more particularly, considering the fact about the respondent having not come forward to resist the application; considering the fact about the applicant to be taking care of one year old daughter and also considering one litigation to be already pending in the Courts at Faridkot, which is pursued by the respondent, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/262/2024, titled '*Kinmander Singh Vs. Poonam*', filed by the respondent-husband, stands transferred from the Family Court, Bathinda, to the Court of competent jurisdiction at Faridkot. The requisite record of the aforesaid case be sent by the Family Court, Bathinda, to the District and Sessions Judge, Faridkot.



TA-1595-2024

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.

27.03.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No