



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

Sr. No.204**TA-1634-2024****Date of Decision: 16.05.2025****RAJWINDER KAUR ALIAS RAWINDER KAUR****....Applicant****Versus****NISHAN SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Ms. Khushika Setia, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 04.04.2025, 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 applicant/wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/71/2024 titled “*Nishan Singh v/s Rajwinder Kaur*”, filed by the respondent/husband, which is pending in the courts at Malerkotla and she seeks transfer of the same to the court of competent jurisdiction at Rajpura, District Patiala.

Counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties was solemnized on 19.11.2008 and son born from the said wedlock, who is 14 years old, is in the care and custody of the



applicant. On account of matrimonial dispute, the parties are residing separate. The applicant has filed petition under Section 144 of Bharatiya Nagarik Suraksha Sanhita, which is pending in the courts at Rajpura, District Patiala and the same is at appearance stage. However, it is submitted that the son of the applicant is a student of 9th class and is studying at International Alliance School at Rajpura. The distance between the two places is stated to be about 89 kms. On query by the court, it is submitted that the applicant is not having any source of earning and is a home maker.

In view of the submissions made aforesaid and taking into consideration the fact of the respondent not coming forth to contest the transfer application and also considering the distance between the two places, as well as the minor child being in the custody of the applicant who is school going, the transfer application is hereby allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/71/2024 titled “*Nishan Singh v/s Rajwinder Kaur*”, filed by the respondent/husband, stands transferred from the Family Court, Malerkotla, to the Court of competent jurisdiction at Rajpura, District Patiala. The requisite record of the aforesaid case be sent by the Family Court, Malerkotla, to the District and Sessions Judge, Patiala.

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

16.05.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	Yes/No