



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

Sr. No.205

TA-143-2025

Date of Decision: 18.02.2026

RAMANDEEP KAUR ALIAS HARPREET KAUR

....Applicant

Versus

KULDEEP SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Amaninder Preet, Advocate
for the applicant.

Mr. K.S. Brar, Advocate
for the respondent.

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/2544/2024, titled '*Kuldeep Singh Vs. Ramandeep Kaur @ Harpreet 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 Faridkot.

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

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



TA-143-2025

17.04.2010. Twin sons were born from the said wedlock. However, one of the sons, namely, Arshdeep Singh, did not survive and Gurmandeep Singh, who is about 10 years old, is in the care and custody of the applicant. The applicant is not having any source of earning. On account of the matrimonial dispute, the applicant is residing separate, at the mercy of her maternal uncle. Even, she had filed the petition under Section 125 Cr.P.C., which has since been decided. The respondent had pursued the said petition. Despite the order of maintenance, passed by the Court, the respondent did not pay any arrears and in the given circumstances, the applicant was constrained to file the execution. Therein, the conditional warrant of arrest of the respondent, has been issued. In this regard, counsel has drawn the attention of this Court to the orders, copies whereof are Annexures P-2 and P-3. The distance between the two places is stated to be about 30 kms.

On the other hand, counsel for the respondent, while making reference to the reply submits that the distance between the two places, is not such, which causes any inconvenience to the applicant.

In view of the submissions aforesaid, it is pertinent to mention that, while adjudicating on the transfer application relating to the matrimonial dispute, various factors ought to be taken into consideration, such like, educational qualification of the spouses; the vocation followed by them; if there is any child born from the wedlock, which spouse is having the custody of the said child; capacity of the said spouse for raising the child; the distance between the two places; convenience of the witnesses, so on and so forth. In the case in hand, the most weighing factor is about one son, who is aged about 10 years, to be in the care and custody of the applicant, while



she herself is not having any source of earning. Though, much emphasis has been laid by the counsel for the respondent, upon the distance to be only 30 kms., but however, taking care of the minor child, is prime consideration, which ought to be seen.

In view of the aforesaid fact situation, more particularly, taking into consideration the conduct of the respondent, in not paying maintenance to the applicant, despite order passed by the Court, on which account she was constrained to file execution, wherein his conditional warrant of arrest has been issued, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/2544/2024, titled '*Kuldeep Singh Vs. Ramandeep Kaur @ Harpreet Kaur*', 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.

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.

18.02.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No