



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

Sr. No.246**TA-164-2026****Date of Decision: 24.03.2026****RITU****....Applicant****Versus****KAMALJIT SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Mitul Singh Rana, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As observed in the previous order, despite service, the respondent did not make appearance, on that date. Even today, he has not made appearance. As such, respondent is proceeded against *ex parte*.

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/326/2025, titled '*Kamaljit Singh v/s Ritu*', filed by the respondent-husband, pending in the Family Court, Gurdaspur and she seeks transfer of the same to Family Court, Mukerian, District Hoshiarpur.

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 14.11.2012 and two female children born from the said wedlock, who are in



the age group of 3-6 years, are in the care and custody of the applicant. On account of matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning. The applicant has filed petition for seeking maintenance, which is pending in the courts at Mukerian, wherein the respondent has already been proceeded against *ex parte*. The distance between the two places is stated to be 31 kms.

In view of the submissions made aforesaid, it is pertinent to mention that while considering the transfer application, relating to the matrimonial dispute, various factors ought to be taken into consideration. The distance, as such, is one factor, which is to be considered.

In the case in hand, the distance is only 31 kms, but however, the most weighing and relevant factor to be considered in the present case, is about two female children, born from the estranged marriage, who are in the age group of 3-6 years, to be in the care and custody of the applicant, who herself is not having any source of earning. Considering the same and also taking into consideration the fact of maintenance petition, to be already pending in the courts at Mukerian, wherein the respondent do not make appearance, it is bound to be herculean task for the applicant, to pursue the litigation at Gurdaspur, while doing parenting singularly.

Considering all the aforesaid circumstances, it is just and expedient to accept the transfer application. Hence, the same is hereby accepted and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/326/2025, titled '*Kamaljit Singh v/s Ritu*', filed by the respondent-husband, stands transferred from the Family Court, Gurdaspur, to Family Court, Mukerian, District Hoshiarpur. The requisite record of the aforesaid



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case be sent by the Family Court, Gurdaspur, to the District and Sessions Judge, Hoshiarpur.

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

24.03.2026
Sonu Saini

(ARCHANA PURI)
JUDGE

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