



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

Sr. No.101

TA-378-2023

Date of Decision: 12.02.2026

KAMALJEET KAUR

....Applicant

Versus

INDERVIR SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Geeteshwar Saini, Advocate for
Mr. Maneet Kumar Arya, Advocate
for the applicant.

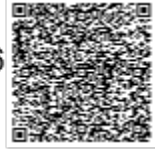
Mr. Saurabh Kaushik, Advocate
for the respondent
(through video conferencing).

ARCHANA PURI, J. (Oral)

At this stage, counsel for the respondent submits that he does not intend to file reply to the transfer application, though, he contests the same.

Counsel for the parties 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/228/2022, titled '*Indervir Singh Vs. Kamaljeet Kaur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Nabha,



District Patiala and she seeks transfer of the same to the Court of competent jurisdiction at Batala, District Gurdaspur.

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 27.06.2021, but no child was born from the said wedlock. However, there is a matrimonial dispute between the parties, as a result whereof, the applicant is residing at her parental place. The applicant is not having any source of earning and as such, is dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Batala and the respondent is making appearance in the same. Otherwise also, the respondent is a government employee, serving in PSPCL department and is having a salary of Rs.60,000/- per month. The distance between the two places is stated to be 210-220 kms.

On the other hand, counsel for the respondent, who has though not file reply, submits that the applicant is a hale and hearty woman and as such, she can very well pursue the litigation, even if it remains pending in the Courts at Nabha, as there is no child born from the broken marriage.

In view of the submissions aforesaid, it is pertinent to mention that even though, there is no child born from the estranged marriage, but however, the other circumstances, spelt out from the material brought on record, ought to be taken into consideration. The applicant is not having any source of earning. She has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Batala and the respondent has joined the proceedings. Besides the aforesaid, the distance between the two places,



where the litigation is pending and where it is sought to be transferred, is about 210-220 kms.

In view of the aforesaid fact situation and balancing the convenience/inconvenience of the parties, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/228/2022, titled '*Indervir Singh Vs. Kamaljeet Kaur*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Nabha, District Patiala, to the Court of competent jurisdiction at Batala, District Gurdaspur. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Nabha, to the District and Sessions Judge, Gurdaspur.

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

12.02.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No