

TA-405-2025

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2026:PHHC:031138



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

Sr. No.114

TA-405-2025

Date of Decision: 26.02.2026

MOHAN JEET KAUR

....Applicant

Versus

KAWALJIT SINGH AND ANOTHER

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Bhavesh Aggarwal, Advocate
for the applicant.

Respondent No.1 (sole contesting respondent)
proceeded against *ex parte*
vide order dated 20.01.2026.

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. HMA/798/2024, titled '*Kawaljit Singh Vs. Mohan Jeet Kaur and another*', filed by the respondent-husband, pending in the Family Court, Chandigarh and she seeks transfer of the same to the Court of competent jurisdiction at Patiala.

In pursuance of notice issued, the respondent did not make appearance, despite service and as such, was proceeded against *ex parte*.



Counsel for the applicant heard.

The marriage between the parties to the lis, is stated to have taken place on 27.01.2002. Two children were born from the said wedlock, who are stated to have attained majority. Also, it is submitted that both the children are living with the respondent. Further, it is submitted that the applicant was turned out of the matrimonial house in April, 2024, after being subjected to beatings. Besides the same, it is submitted that till date, the applicant had not initiated any litigation. The applicant has no source of earning and on this account, it is submitted that it is difficult for her to defend the litigation thrust upon her. The distance between the two places is stated to be 70 kms.

In view of the submissions aforesaid, it is pertinent to mention that even though, two children born from this estranged marriage, are already in the care and custody of the respondent, but however, they are grown up children, who have attained majority. Also, as per the plea of the applicant, she was turned out of the matrimonial house, after being subjected to beatings. Even, she is not having any source of earning.

In view of the aforesaid fact situation and above it, considering the fact about the respondent having not come forward to resist the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/798/2024, titled '*Kawaljit Singh Vs. Mohan Jeet Kaur and another*', filed by the respondent-husband, stands transferred from the Family Court, Chandigarh, to the Court of competent



jurisdiction at Patiala. The requisite record of the aforesaid case be sent by the Family Court, Chandigarh, to the District and Sessions Judge, Patiala.

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

26.02.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No