



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

Sr. No.122

**TA-1500-2025 (O&M)
Date of Decision: 10.02.2026**

ROOBAL

....Applicant

Versus

PARDEEP SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Komalpreet Kaur, Advocate
for the applicant.

Respondent is proceeded against *ex parte*
vide order dated 09.02.2026.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/329/2025 titled '*Pardeep Singh v/s Rubal*', filed by the respondent-husband, pending in the Family Court, Barnala and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.

Upon notice issued, the respondent did not make appearance and as such, was proceeded against *ex parte*.

Counsel for the applicant 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 10.02.2017 and one son born from the said wedlock, who is about 8 years old, is in the care and custody of the respondent. However, on account of



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matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and is dependent upon her parental family. The distance between the two places is stated to be about 175 kms. Moreover, on account of this estranged marriage, the applicant has filed petition under Section 25 of Guardian and Wards Act; petition under Section 144 of Bharatiya Nagarik Suraksha Sanhita; petition under Section 12, 17, 18, 20, 22 and 23 for Protection of Women from Domestic Violence Act and complaint under Section 316 (1), 85, 86, 35, 314 BNS Act, which are pending in the courts at Amritsar. It is further submitted that the respondent had made appearance in the petition under Section 144 of Bharatiya Nagarik Suraksha Sanhita, whereas the other cases are pending at the appearance stage only.

In view of the submissions aforesaid, it is pertinent to mention that while adjudicating on the transfer application, relating to the matrimonial dispute, various other factors ought to be taken into consideration. The most relevant factor in the present case is about the child born from the estranged marriage, who is about 8 years old, to be in the care and custody of the respondent. It is also necessary to note that the applicant herself is not having any source of earning. The distance between the two places, where the petition is pending and where it is sought to be transferred is about 175 kms. Also, four other litigation, arising from the matrimonial dispute, are already pending in the courts at Amritsar and in one of the litigation, the respondent had made appearance.

Considering the constrained circumstances faced by the applicant, though the child is being taken care of by the father, but on query



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by the court, it is submitted that the respondent is living with his parents, along with the child. Considering the same and also taking into consideration the age of the child, he, as such, does not call for personal attendance of the father all the time.

Considering the aforesaid fact situation and considering the fact of the respondent, having not come forward to resist the transfer application, the same is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/329/2025 titled '*Pardeep Singh v/s Rubal*', filed by the respondent-husband, stands transferred from the Family Court, Barnala, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court, Barnala, to the District and Sessions Judge, Amritsar.

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

10.02.2026

Sonu Saini

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No