



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

Sr. No.208

TA-1686-2025

Date of Decision: 27.04.2026

AMANDEEP KAUR

....Applicant

Versus

PALWINDER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Chetan Kapoor, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 25.02.2026, despite service, the respondent did not make appearance on that date. Even on the subsequent date, none has made appearance. Today also, he has not made appearance. As such, the 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. DMC/33/2025, titled '*Palwinder Singh Vs. Amandeep Kaur*', filed by the respondent-husband, pending in the Family Court, Fatehgarh Sahib and she seeks transfer of the same to the Court of competent jurisdiction at Rajpura, District Patiala.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 19.02.2010. On account of



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the matrimonial dispute, the parties are residing separate. One son born from the said wedlock, who is about 13 years old, is in the care and custody of the applicant. The applicant is not having any source of earning and as such, she, along with her son, is dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., as well as the petition under the Protection of Women from Domestic Violence Act, which are pending in the Courts at Rajpura and the respondent is pursuing both the said cases. Besides the same, the respondent is facing trial in the Courts at Rajpura, relating to FIR bearing No.43 dated 08.06.2018, under Sections 323, 341, 498-A and 506 IPC, got lodged by the applicant at P.S. Sadar, Rajpura. The distance between the two places is stated to be about 35-40 kms.

In view of the submissions aforesaid, it is pertinent to mention that generally, the Courts lean towards convenience of the wife, while considering the transfer application relating to the matrimonial dispute. However, it is not a thumb rule. In each case, various factors ought to be taken into consideration. In the case in hand, though, the distance between the two places is not on a higher side, but however, the other circumstances spelt out from the material brought on record, ought to be taken into consideration. The applicant in the present case, is not having any source of earning and despite the same, she is taking care of the growing child, who is in her care and custody. Three other litigations, arising from the estranged marriage are already pending in the Courts at Rajpura, which are being pursued by the respondent, more particularly, the criminal case, wherein, the



respondent is required to make appearance on each and every date of hearing.

In view of the aforesaid fact situation and above all, 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. DMC/33/2025, titled ‘*Palwinder Singh Vs. Amandeep Kaur*’, filed by the respondent-husband, stands transferred from the Family Court, Fatehgarh Sahib, to the Court of competent jurisdiction at Rajpura, District Patiala. The requisite record of the aforesaid case be sent by the Family Court, Fatehgarh Sahib, to the District and Sessions Judge, Patiala.

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

27.04.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No