



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

**Sr. No.105**

**TA-1325-2023**

**Date of Decision: 01.04.2025**

**RUPANJLI @ RUPANJALI ALIAS RUPALI**

**....Applicant**

**Versus**

**BALWINDER KAUR AND OTHERS**

**.....Respondents**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Rishabh Gupta, Advocate for the applicant.

None for the respondent.

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**ARCHANA PURI, J. (Oral)**

Case called twice. However, none has made appearance on behalf of the respondent.

Perusal of the paperbook reveals that, despite service, respondent No.1, who is the sole contesting respondent, did not make appearance, at first instance and as such, she was proceeded against *ex parte*, vide order dated 25.09.2024. Thereafter, on the subsequent date, respondent No.1 had made appearance through Mr. Satnam Singh, Advocate, who had filed Power of Attorney and intended to file an application for setting aside of the *ex parte* order. On the subsequent date, none had appeared on behalf of the respondent and as such, the case was adjourned. In the given circumstances, respondent No.1 is again proceeded against *ex parte*.



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Learned counsel for the applicant heard.

The applicant/daughter-in-law has filed the present application for seeking transfer of the civil suit i.e. CS/192/2023, titled '*Balwinder Kaur Vs. Rupanjli @ Rupali and others*', filed by respondent No.1/mother-in-law, pending in the Courts at Bholath, District Kapurthala and she seeks transfer of the same to the Court of competent jurisdiction at Hoshiarpur.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the applicant and the son of respondent No.1, namely, Lovepreet Singh, was solemnized on 16.06.2023. There is no child born from the said wedlock. On account of the matrimonial discord, the applicant and her husband are residing separate. Now, respondent No.1 has filed the civil suit, against the applicant and her parental family members, which is pending in the Courts at Bholath, District Kapurthala and the applicant seeks transfer of the same to the Courts at Hoshiarpur, where two other cases, relating to the matrimonial dispute of the applicant with her husband i.e. the maintenance petition and the police complaint, are already pending. The distance between the two places is stated to be about 60-70 kilometres.

In view of the submissions aforesaid, it is pertinent to mention that even though, the Courts lean toward the convenience of the wife, while dealing with the transfer applications relating to the matrimonial dispute, but however, it is not a thumb rule. In the case in hand, the civil suit, which is sought to be transferred, has been filed by the mother-in-law of the applicant, who is having matrimonial dispute with her husband. It is pertinent to mention that there is no child born from the said wedlock. The applicant is much younger than respondent No.1, who is her mother-in-law.



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In these circumstances, more particularly, when the personal appearance of the parties concerned is not required on each and every date of hearing, no case is made out, for transferring the civil suit.

Hence, the transfer application is hereby dismissed.

However, the applicant is at liberty to file an appropriate application, before the Court concerned, to secure her presence through video conferencing and upon filing of such application, the Court concerned may pass any appropriate order, in the fitness of the circumstances.

**01.04.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No