



TA-1641-2024

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

Sr. No.252

TA-1641-2024

Date of Decision: 04.08.2025

CHARANJEET KAUR**....Applicant****Versus****KRISHAN SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Amtiaz Sandhu, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 20.02.2025, despite service, the respondent did not make appearance on that date. Even today, he has not made appearance. As such, the respondent is proceeded against *ex parte*.

The counsel for the applicant heard.

The applicant-Charanjeet Kaur has filed the present application for seeking transfer of the guardianship petition i.e. GW/3/2024, titled '*Krishan Singh Vs. Charanjit Kaur*', filed by the respondent (husband of the applicant), pending in the Family Court, Moga and she seeks transfer of the



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same to the Court of competent jurisdiction at Ferozpur.

It is submitted by the counsel for the applicant that three children born from the wedlock of the parties to the lis, who are in the age group of 5-7 years, are in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant has studied up to 5th class and she is not having any source of earning. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Ferozpur. Also, it is submitted that earlier also, petition under Section 9 of the Hindu Marriage Act, was filed by the respondent in the Courts at Moga and upon filing of transfer application i.e. TA-1643-2023, by the applicant, the said petition was transferred to the Courts at Ferozpur, vide order dated 20.12.2023, copy whereof is Annexure P-2. However, after transfer of the said case, the respondent had not made appearance in the said petition, which was dismissed in default.

Considering the aforesaid mitigating circumstances, more particularly, considering the fact of the respondent having not come forward to resist the application and also considering the fact of the applicant, who herself is not having any source of earning, taking care of three children born from the wedlock of the parties, the transfer application is allowed and the guardianship petition i.e. GW/3/2024, titled '*Krishan Singh Vs. Charanjit Kaur*', filed by the respondent (husband of the applicant), stands transferred from the Family Court, Moga, to the Court of competent jurisdiction at Ferozpur. The requisite record of the aforesaid case be sent by the Family Court, Moga, to the District and Sessions Judge, Ferozpur.



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

04.08.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No