

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

Sr. No.112

TA-287-2025

Date of Decision: 09.07.2025

GURPREET KAUR

...Applicant

Versus

GURBAZ SINGH @ KAKA DRIVER

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Nitin Verma, Advocate
for the applicant.

None for the respondent.

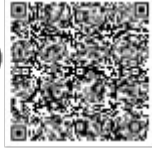
ARCHANA PURI, J. (Oral)

Perusal of the paperbook reveals that on 28.05.2025, despite service, the respondent did not make appearance. Even today, he has not made appearance. As such, the respondent is proceeded against *ex parte*.

The counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. DMC/1516/2024, titled '*Gurbaz Singh Vs. Gurpreet Kaur*', filed by the respondent-husband, pending in the Family Court, Bathinda and she seeks transfer of the same to the Court of competent jurisdiction at Faridkot.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 28.02.2022. One son born from the said wedlock, who is about 1½ years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and is



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dependent upon her parental family. Also, it is submitted that the applicant had filed the petition under the Protection of Women from Domestic Violence Act, which is pending in the Courts at Faridkot. The respondent, despite service in the said petition, did not make appearance and as such, has been proceeded against *ex parte*. Furthermore, it is submitted that there is no direct transport connectivity in applicant's village, as a result whereof, it is difficult for her to commute the distance of even 45 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid, considering the fact of the respondent having not come forward to resist the application and also considering the minor child to be in the custody of the applicant, who is not having any source of earning, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/1516/2024, titled '*Gurbaz Singh Vs. Gurpreet Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Bathinda, to the Court of competent jurisdiction at Faridkot. The requisite record of the aforesaid case be sent by the Family Court, Bathinda, to the District and Sessions Judge, Faridkot.

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

09.07.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : Yes/No