



TA-23-2025

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

Sr. No.217

TA-23-2025

Date of Decision: 06.08.2025

PARVEEN KAUR

...Applicant

Versus

JASWINDER SINGH

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURIPresent:- Mr. Raghav Puggal, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 28.07.2025, 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-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/233/2024, titled '*Jaswinder Singh Vs. Parveen Kaur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Jagraon,



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District Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Moga.

It is submitted by the counsel for the applicant that the applicant was earlier married with one Amandeep Singh, on 02.04.2021 and from the said wedlock, one son was born in the year 2022, who is in the care and custody of the applicant. The marriage of the applicant with respondent, is the second marriage, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. Also, it is submitted that the applicant had filed the divorce petition, which is pending in the Courts at Moga and as a counter-blast to the same, the petition under Section 9 of the Hindu Marriage Act, has been filed by the respondent. Further also, it is submitted that the applicant is not having any source of earning and as such, is dependent upon her mother and brother.

On query by this Court, it is submitted by the counsel that the child born from the first marriage is about 3 years old. On further query, the counsel for the applicant was unable to state about the educational qualification of the applicant.

In view of the submissions aforesaid, it is pertinent to mention that in paragraph No.10 of the application, though it has been mentioned that brother of the applicant is mentally abnormal and her father had died, but no document, with regard to ailment of the brother has been brought on record. The distance between the two places, where the petition under Section 9 of the Hindu Marriage Act, is pending and where it is proposed to be transferred, is only 34 kilometres and both the stations are on the main



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national highway. Also, there is good road connectivity between the two stations. There is mother to look after the child, as and when the appellant is required to appear in person, in the court.

In view of the aforesaid fact situation, no satisfactory reason is coming forth, for transfer of the petition under Section 9 of the Hindu Marriage Act. Hence, the present transfer application is hereby dismissed.

06.08.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No