



TA-1130-2024

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

Sr. No.128

TA-1130-2024

Date of Decision: 22.05.2025

**GAGANPREET KAUR****....Applicant****Versus****GURTEJ SINGH AND ORS****....Respondents****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Aditya Anand, Advocate  
for the applicant.

Respondents No.1, 2, 5 and 6 proceeded against *ex parte*  
vide order dated 28.03.2025.

\*\*\*\*\*

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

As per the observations made in the order dated 13.05.2025, despite service, respondents No.3 and 4 did not make appearance on that date. Even today, they have not made appearance. As such, respondents No.3 and 4 are proceeded against *ex parte*.

The applicant/wife has filed the present application for seeking transfer of the petition under Sections 12, 17, 18, 19, 20, 22 and 23 of Protection of Women from Domestic Violence Act i.e. COMA/14/2023 titled "*Gaganpreet Kaur v/s Gurtej Singh and others*", filed at her instance, pending in the courts at Faridkot and she seeks transfer of the same to the



TA-1130-2024

court of competent jurisdiction at Moga.

Counsel for the applicant heard.

At the very outset, it is submitted by the counsel for the applicant that there is one son born from the wedlock of the parties to the lis, who is about 14 years old and is suffering from “*Autism Spectrum Disorder*”, since birth and is getting treatment from Aasra Manorog Hospital, situated at Moga. His medical records are Annexures P-1 to P-3 and the copy of disability certificate is annexed as Ex.P-4, which reveals about the child in question to be a case of intellectual disability and is having 75% disability, relating to his brain.

It is further submitted that two other cases i.e. petition under Section 6, 7 and 25 of Guardians and Wards Act i.e. GW/11/2022 and petition under Section 13 of the Hindu Marriage Act i.e. HMA/63/2022, already stands transferred, vide transfer applications i.e. TA-900-2024 and TA-905-2024, respectively, filed at the instance of the respondent.

Considering the aforesaid and taking into consideration the medical ailment of the child, who is taken care of by the applicant and also the respondent not having come forward to resist the application, the transfer application is hereby allowed and the petition under Sections 12, 17, 18, 19, 20, 22 and 23 of Protection of Women from Domestic Violence Act i.e. COMA/14/2023 titled “*Gaganpreet Kaur v/s Gurtej Singh and others*”, stands transferred from the Family Court, Faridkot, to the Court of competent jurisdiction at Moga. The requisite record of the aforesaid case be sent by the Family Court, Faridkot, to the District and Sessions Judge, Moga.



TA-1130-2024

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

**22.05.2025**

Sonu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No