



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

Sr. No.485

TA-1480-2024

Date of Decision: 08.04.2025

HARPREET KAUR

....Applicant

Versus

JAGTESH SINGH

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Priyanshu Kamra, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 07.04.2025.

ARCHANA PURI, J. (Oral)

The applicant/wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/902/2024 titled "Jagtesh Singh v/s Harpreet Kaur", filed by the respondent/husband, which is pending in the courts at Bathinda and she seeks transfer of the same to the court of competent jurisdiction at Jagraon.

In pursuance of notice issued, the respondent did not make appearance and as such was proceeded against *ex parte*.

Counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties was solemnized on 31.01.2019 and one son born from the said wedlock, aged about 4 years, is presently in the care and custody of the applicant. On account of matrimonial dispute, the parties are residing separate. The applicant has also filed one complaint case under Section 323, 324, 294, 420, 406, 498A, 120, 467, 468, 34 IPC, against the respondent at Jagraon, wherein the summoning order has been passed, which is still at the



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appearance stage. Even, the applicant has filed petition under Section 125 Cr.P.C. and petition under Section 12 of Protection of Women from Domestic Violence Act, which are also pending in the courts at Jagraon, District Ludhiana and the respondent is making appearance in both the said cases. The distance between the two places is stated to be about 120 kms. In the given circumstances, it is submitted that it is difficult for the applicant to defend the divorce petition.

In view of the aforesaid fact situation and also considering the position of law about preference given to the convenience of the wife in the transfer applications relating to the matrimonial disputes, more particularly, when the respondent has not come forward to contest the application and the applicant is taking care of the minor child, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/902/2024 titled “Jagtesh Singh v/s Harpreet Kaur”, filed by the respondent-husband, stands transferred from the Family Court, Bathinda to the Family Court, Jagraon, District Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Bathinda to the District and Sessions Judge, Ludhiana.

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

08.04.2025
Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No