



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

Sr. No.216

TA-1460-2024

Date of Decision: 05.05.2025

JASVIR KAUR

....Applicant

Versus

SUKHDEEP SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. J.K. Singla, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per the observations made in the order dated 05.03.2025, 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/320/2024, titled '*Sukhdeep Singh Vs. Jasvir Kaur*', filed by the respondent-husband, pending in the Family Court, Mansa and she seeks transfer of the same to the Court of competent jurisdiction at Phul, District Bathinda.

It is submitted by the counsel for the applicant that the marriage



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between the parties to the lis, had taken place on 22.02.2010. One daughter and one son, born from the said wedlock, who are aged about 14 years and 2 years, are in the care and custody of the applicant. The applicant, on account of matrimonial dispute with the respondent, is residing at her parental place, along with her children. She is not working and as such, has no source of earning. She is dependent upon her parental family. Even, she has filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which is pending in the Courts at Phul. She has also filed the petition under Sections 18 and 20 of the Hindu Adoption and Maintenance Act, which is also pending in the Courts at Phul. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 65-70 kilometres, on one side, to defend the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid, considering the preference generally given by the Courts to the convenience of wife in the transfer applications relating to the matrimonial disputes, more particularly, when the respondent himself has not come forward to resist the application and also considering the fact about the applicant not having any source of earning and taking care of both the children, born from the wedlock of the parties to the lis, it is just and expedient to accept the transfer application. As such, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/320/2024, titled '*Sukhdeep Singh Vs. Jasvir Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Mansa, to the Court of competent jurisdiction at Phul, District Bathinda. The requisite record of the aforesaid case be sent by the Family Court, Mansa, to the District and Sessions Judge, Bathinda.

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

05.05.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No