

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

Sr. No.218

**TA-1582-2023
Date of Decision: 18.03.2025**

PRABHJOT KAUR

...Applicant

Versus

SUKHDEEP SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Arnav Kumar, Advocate
for the applicant.

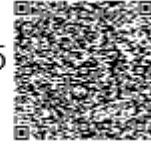
None for the respondent.

ARCHANA PURI, J. (Oral)

As per the last order dated 04.03.2025, the respondent did not make appearance despite service, on that date. Even today, none has made appearance on his behalf. 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 13 of the Hindu Marriage Act i.e. DMC/814/2023, titled '*Sukhdeep Singh Vs. Prabhjot Kaur*', filed by the respondent-husband, pending in the Family Court, Panipat and she seeks transfer of the same to the Court of competent jurisdiction at Ambala.



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It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 28.05.2023, but no child was born from the said wedlock. However, on account of the matrimonial discord, the parties are residing separate. The applicant is not having any source of earning and is totally dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C. i.e. MNT-125/7058/2023 in the Courts at Ambala, wherein the respondent was earlier proceeded against *ex parte*. Now, he has filed an application for setting aside of the *ex parte* proceedings, which is pending adjudication. Besides the same, the applicant has also filed the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. DV/181/2023, in the Courts at Ambala, which is still at the service stage. Even, she has filed the complaint under Sections 498-A and 406 IPC, relating to which an application under Section 156 Cr.P.C. is pending in the Courts at Ambala. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 100 kilometres, to defend the divorce petition.

In view of the aforesaid fact situation and also considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly, considering the fact about the respondent having not come forward to contest the application, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/814/2023, titled '*Sukhdeep Singh Vs. Prabhjot Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Panipat, to the Court of competent jurisdiction at Ambala. The requisite record of the aforesaid case be sent by



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the Family Court, Panipat, to the District and Sessions Judge, Ambala.

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

18.03.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No