



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

Sr. No.223

TA-1168-2024

Date of Decision:05.09.2025

JAGDISH KAUR

....Applicant

Versus

SUKHWANT SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Umesh Aggarwal, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

Perusal of the paper-book reveals that on the last date of hearing, despite service, the respondent did not make appearance. 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 13 of the Hindu Marriage Act, 1955 i.e. case bearing No.HMA/146/2023 titled '*Sukhwant Singh Vs. Jagdish Kaur*', filed by respondent-husband, pending in the Courts at Family Court (Camp Court) Patti, District Tarn Taran, and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.

At the very outset, it is submitted by the counsel for the applicant that on account of the matrimonial dispute, the parties are residing separate and one son born from the wedlock of the parties to the lis, who is



about 2 ½ years old, is in the care and custody of the applicant. The applicant is not having source of earning. Also, the applicant has filed petition under Section 144 of Bharatiya Nagarik Surkasha Sanhita, which is pending in the courts at Amritsar and the same is still at the appearance stage. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 60 kms, to pursue the divorce petition.

In view of the mitigating circumstances aforesaid, more particularly, when the respondent has not come forward to resist the transfer application as well as taking into consideration the fact of the child to be in the care and custody of the applicant, who herself is not having any source of earning, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act, 1955 i.e. case bearing No.HMA/146/2023 titled '*Sukhwant Singh Vs. Jagdish Kaur*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Patti, District Tarn Taran, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Patti, District Tarn Taran, to the District and Sessions Judge, Amritsar.

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

05.09.2025

parul verma

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : Yes/No