



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

**Sr. No.203**

**TA-776-2024  
Date of Decision: 18.08.2025**

**RAJWINDER KAUR**

**...Applicant**

**Versus**

**MAJOR SINGH**

**....Respondent**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Ranjit Saini, Advocate  
for the applicant.

Ms. Payal, Advocate for  
Mr. Kanwalpreet Singh Virk, Advocate  
for the respondent.

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

Reply has not been filed, despite last opportunity. However, counsel appearing on behalf of the respondent seeks an adjournment, but there is no justifiable reason coming forth for adjournment. Hence, no further opportunity is given to file the reply.

Counsel for the parties 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. HMA/309/2024 titled '*Major Singh v/s Rajvinder Kaur*', filed by the respondent-husband, pending in the Family Court, Jind and she seeks transfer of the same to the Court of competent jurisdiction at Karnal.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties, had taken place on 26.11.1999, but no child was born from the said wedlock. On account of the



matrimonial dispute, the parties are residing separate. The daughter born from the wedlock of the parties, who is about 24 years of age, is in the care and custody of the applicant, whereas the son, who is about 19 years of age, is in the care and custody of the respondent. The applicant is not having any source of earning and she is totally dependant upon her brother. The applicant has filed petition under Section 125 Cr.P.C., which is pending in the courts at Karnal. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 90 kms to defend the divorce petition.

On the other hand, counsel for the respondent, who has not filed the reply, submits that the case may be transferred to Assandh, of which place the applicant is the permanent resident and in this regard, reference is made to Annexure P-3, which is the application filed at the instance of the applicant, for initiation of action against the respondent and others.

In view of the submissions aforesaid and also taking into consideration the preference generally given by the courts to the convenience of the wife, it is pertinent to mention that though the emphasis has been made on Annexure P-3, which is the complaint made by the applicant to SHO, Women Police Station, Karnal, against the respondent, wherein it has been stated that the applicant is resident of Adarsh Colony, Assandh, but however, in the subsequent part of the complaint, she has further stated about herself to be residing along with her father at Karnal. In the given circumstances, it cannot be concluded about the applicant to be residing at Assandh, which is the place, where the respondent is interested for the transfer of the case. But any how, it is pertinent to mention that the grownup daughter, is taken care of by the applicant, who has no independent



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source of earning. Even, two other litigation arising from the matrimonial dispute, are already pending in the courts at Karnal, which are being pursued by the respondent. The transfer application, as such, is hereby allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/309/2024 titled '*Major Singh v/s Rajvinder Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Jind to the Court of competent jurisdiction at Karnal. The requisite record of the aforesaid case be sent by the Family Court, Jind to the District and Sessions Judge, Karnal.

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

**18.08.2025**

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**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No