



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

Sr. No.233

TA-195-2024

Date of Decision: 06.05.2025

KAJAL

....Applicant

Versus

RUBAL SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Akhilesh Vyas, Advocate
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 09.04.2025.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 12(1) (a) & (b) of the Hindu Marriage Act i.e. HMA/1616/2023, titled '*Rubal Singh Vs. Kajal*', filed by the respondent-husband, through his attorney-holder, which is pending in the Family Court, Amritsar and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

Upon notice, the respondent did not make appearance, despite service and as such, was proceeded against *ex parte*.

The counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 03.04.2022, but however, so thereafter, the respondent had gone to Poland, without complying with the assurance given to take the applicant along with him. Thereupon, the dispute had arisen between the parties. The applicant is not having any



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source of earning and as such, she is dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Ludhiana. Furthermore, it is submitted that the distance between Ludhiana and Amritsar is about 174 kilometres.

In view of the submissions aforesaid and 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 none had appeared on behalf of the respondent to contest the application; considering the fact about the applicant having no source of earning; and also considering the distance between the two places, the transfer application is allowed and the petition under Section 12(1) (a) & (b) of the Hindu Marriage Act i.e. HMA/1616/2023, titled '*Rubal Singh Vs. Kajal*', filed by the respondent-husband, stands transferred from the Family Court, Amritsar, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Amritsar, to the District and Sessions Judge, Ludhiana.

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

06.05.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No