

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

Sr. No.109

TA-204-2024

Date of Decision: 27.08.2025

KULWINDER KAUR AND ANOTHER

...Applicants

Versus

HARPAL SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Dixit Raj Kapoor, Advocate
for the applicants.

Mr. H.S. Rakhra, Advocate
for the respondent.

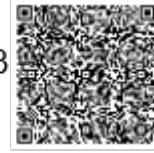
ARCHANA PURI, J. (Oral)

Despite last opportunity, reply has not been filed. As such, there is no reason coming forth, for giving further opportunity to file reply.

Counsel for the parties heard.

Applicant No.1-Kulwinder Kaur, as well as her father, have filed the present application for seeking transfer of the civil suit i.e. CS/20636/2023, titled '*Harpal Singh Vs. Kulwinder Kaur and another*', filed by the respondent, pending in the Courts at Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Patiala.

At the very outset, it is submitted by the counsel for the applicants that marriage of applicant No.1, had taken place with son of the respondent, on 26.06.2020 and the same resulted into a matrimonial dispute, which gave rise to the matrimonial litigation, between applicant No.1 and her husband, as well as other family members of her in-laws family. Three cases are stated to be pending in the Courts at Patiala, the detail whereof is



TA-204-2024

given in paragraph No.3 of the application. Perusal of the same reveals that respondent has been impleaded as accused in the complaint under Section 406, 498-A, 511, 506 IPC and Sections 3 and 4 of Dowry Prohibition Act i.e. COMI/210/2023. Also, he has been impleaded as respondent in the petition under the Protection of Women from Domestic Violence Act i.e. COMA/3478/2023. In both the said cases, he is making appearance in the Courts at Patiala.

It is also submitted by the counsel for the applicants that applicant No.1 is not having any source of earning. In the given circumstances, it is submitted that it is difficult for applicant No.1, to commute a distance of about 100 kilometres, from the place of her residence, more particularly, when the other litigation relating to the matrimonial dispute, is already pending in the Courts at Patiala.

On the other hand, counsel for the respondent does not dispute about the respondent making appearance as accused in other litigation, pending in the Courts at Patiala. Even, it is submitted that the respondent is an aged person.

In view of the submissions aforesaid, taking into consideration the fact of the respondent, already making appearance in cases, which are pending in the Courts at Patiala and also considering the fact of the applicant not having any source of earning, as well as considering the distance between the two places, the transfer application is allowed and the civil suit i.e. CS/20636/2023, titled '*Harpal Singh Vs. Kulwinder Kaur and another*', filed by the respondent, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Patiala. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, to the District and

TA-204-2024

3

2025:PHHC:113903



Sessions Judge, Patiala.

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

27.08.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No