



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

**Sr. No.103**

**TA-758-2024 (O&M)  
Date of Decision: 17.09.2025**

**NARINDER KAUR**

**....Applicant**

**Versus**

**JAGDEEP SINGH NANDHRA**

**.....Respondent**

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

Present:- Mr. Chandan Singh Rana, Advocate  
for the applicant.

Respondent proceeded against *ex parte*  
vide order dated 22.04.2025.

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

**CM-19093-CII-2025**

The present application has been filed at the behest of the applicant, for placing on record copies of the zimini orders passed by learned Family Court, Ludhiana, in the divorce petition, filed by the applicant, wherein the respondent-husband, has been proceeded against *ex parte*.

In view of the averments made in the application, same is allowed and the requisite orders are taken on record.

**Main case**

At this stage, counsel for the applicant states at Bar that divorce petition filed by the applicant, copy whereof is Annexure P-3, has since been allowed by learned Family Court, *ex parte*, vide judgment dated 01.09.2025 and the status of the same has been annexed with CM-19093-CII-2025, at page No.7.

The applicant-wife has filed the present application for seeking



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transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/12/2024, titled '*Jagdeep Singh Vs. Narinder Kaur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Phillaur, District Jalandhar and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

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

Counsel for the applicant heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 13.11.2010 and from the said wedlock, two children were born, who are presently in the care and custody of the respondent. However, the matrimonial dispute arose between the parties, on account of medical ailment suffered by the respondent, as he was HIV positive and he also subjected the applicant to cruelty, off and on. While making reference to the contents of the transfer application, it is submitted that the applicant had expressed her intention not to continue with the said marriage, on account of disease suffered by the respondent to be venereal. In fact, she had suggested to part ways, but however, the same was not acceptable to the respondent and he subjected her to cruelty, on this account. Also, it is submitted that the respondent along with the children, is staying in Kenya and he came to India, only to file the petition under Section 9 of the Hindu Marriage Act. Thereafter, again he had returned back to Kenya.

On query by this Court, it is disclosed by the counsel for the applicant that the applicant is not working and is residing at Ludhiana. She had filed the divorce petition, which was pending in the Courts at Ludhiana.



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While making reference to the zimini orders brought on record today, it is submitted that the respondent was proceeded against *ex parte* and the divorce petition has been decided *ex parte*, vide judgment dated 01.09.2025. Though, the distance between the two places is only 35 kilometres, but however, it is submitted that the applicant is not having any source of earning. In fact, the respondent had not made appearance in the divorce petition even once and *ex parte* divorce has already been granted. Moreover, the respondent, after filing of the petition under Section 9 of the Hindu Marriage Act, is not staying in India.

Considering the aforesaid mitigating circumstances and the medical record and also considering the fact of divorce already having been effected *ex parte*, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/12/2024, titled '*Jagdeep Singh Vs. Narinder Kaur*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Phillaur, District Jalandhar, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Phillaur, 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.

**17.09.2025**

Himanshu Vats

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No