



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

Sr. No.318

TA-1110-2024

Date of Decision: 11.08.2025

**RUPINDER KAUR**

...Applicant

Versus

**INDERJIT SINGH**

.....Respondent

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

Present:- Mr. Sukhbir Maandi, Advocate  
for the applicant.

None for the respondent.

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

As per the observations made in the order dated 02.05.2025, despite service, the respondent did not make appearance on that date. Even on the subsequent date, he had not made appearance. Today also, he has not made appearance. Seemingly, the respondent is not interested to pursue the present application. As such, the respondent is proceeded against *ex parte*.

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 i.e. DMC/61/2023, titled '*Inderjit Singh Vs. Rupinder Kaur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Amloh, District Fatehgarh Sahib and she seeks transfer of the same to the Court of competent jurisdiction at Chandigarh.

It is submitted by the counsel for the applicant that there is a matrimonial dispute between the parties, on account of which, they are



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residing separate. The son born from the wedlock of the parties, who is about 8 years old, is in the care and custody of the respondent. The applicant is not having any source of earning and as such, has filed the petition under Section 125 Cr.P.C. i.e. MNT-125/276/2023, which is pending in the Courts at Chandigarh. Also, she has filed the petition under the Protection of Women from Domestic Violence Act i.e. COMP/237/2023, which is also pending in the Courts at Chandigarh. The respondent is making appearance in both the aforesaid cases. The distance between the two places is about 73 kilometres.

Considering the submissions aforesaid, it is pertinent to mention that even though, generally the Courts lean towards convenience of the wife, in case of transfer application relating to the matrimonial dispute, but however, it is not a thumb rule. Various other circumstances, spelt out from the material brought on record, also ought to be taken into consideration. In the case in hand, the son born from the wedlock of the parties, who is about 8 years old, is in the care and custody of the respondent. However, the respondent has not made appearance to resist the transfer application.

In view of the aforesaid fact situation and considering the age of the child, as well as considering the fact of respondent, having not come forward to resist the application, more particularly, when he is making appearance in two cases, arising from the matrimonial dispute, in the Courts at Chandigarh, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/61/2023, titled '*Inderjit Singh Vs. Rupinder Kaur*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Amloh, District Fatehgarh Sahib, to the Court of competent jurisdiction at Chandigarh. The requisite



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record of the aforesaid case be sent by the Family Court (Camp Court) Amloh, to the District and Sessions Judge, Chandigarh.

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

**11.08.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No