



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

Sr. No.107

TA-1163-2024

Date of Decision: 25.08.2025

**SIMRANJEET KAUR @ SIMARJEET KAUR**

...Applicant

Versus

**RAJESH**

....Respondent

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

Present:- Mr. Kanwar Inder Singh, Legal Aid Counsel  
for the applicant.

Mr. Daljit Singh Virk, Advocate  
for the respondent.

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

At this stage, counsel for the respondent submits that he does not intend to file reply to the transfer application, though, he contests the same.

Counsel for the parties heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/475/2024, titled '*Rajesh Vs. Simran Jeet Kaur*', filed by the respondent-husband, pending in the Family Court, Sirsa and she seeks transfer of the same to the Court of competent jurisdiction at Rampura Phul, District Bathinda.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 13.07.2023, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is not having any



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source of earning and as such, has also filed the maintenance petition i.e. MNT-220-2024, which is pending in the Courts at Phul. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 120 kilometres, to defend the petition under Section 9 of the Hindu Marriage Act.

On the other hand, counsel for the respondent submits that the distance between the two places is exaggerated one and in fact, it is about 90 kilometres. Also, it is submitted that the maintenance petition has been filed by the applicant, after filing of the petition under Section 9 of the Hindu Marriage Act, by the respondent.

In view of the submissions aforesaid, it is pertinent to mention that generally, the Courts lean towards convenience of the wife, while considering the transfer application relating to the matrimonial dispute, though, it may not be 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, no reply has been filed by the respondent. Though, the distance between the two places is stated to be about 90 kilometres, but however, the same is also a long distance. Even, the applicant is not having any source of earning and she has also filed the maintenance petition, after filing of the petition under Section 9 of the Hindu Marriage Act, by the respondent.

In view of the aforesaid fact situation, more particularly, considering the distance between the two places and also considering the fact of the applicant having no source of earning, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/475/2024, titled '*Rajesh Vs. Simran Jeet Kaur*', filed by the



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respondent-husband, stands transferred from the Family Court, Sirsa, to the Court of competent jurisdiction at Rampura Phul, District Bathinda. The requisite record of the aforesaid case be sent by the Family Court, Sirsa, to the District and Sessions Judge, Bathinda.

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

**25.08.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No