



TA-1313-2024 AND TA-1378-2024

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

Sr. No.119

Date of Decision: 04.08.2025

1.

TA-1313-2024

AMNINDER SINGH KAHLON

....Applicant

Versus

PRABHJOT KAUR

....Respondent

2.

TA-1378-2024

AMNINDER SINGH KAHLON

....Applicant

Versus

PRABHJOT KAUR AND OTHERS

....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Vipin Mahajan, Advocate
for the applicant (in both the cases).

Mr. Karanjit Singh, Advocate
for the contesting respondent (in both the cases).



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ARCHANA PURI, J. (Oral)

Vide this order, I shall dispose of two applications, filed by Amninder Singh-applicant/husband, for seeking transfer of the litigation, pending between the parties to the lis.

TA-1313-2024 has been filed by the applicant-husband for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/426/2021, titled '*Amninder Singh Kahlon Vs. Prabhjot Kaur*'.

TA-1378-2024 has been filed by the applicant-husband for seeking transfer of the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. COMA/169/2022 dated 19.10.2022, titled '*Prabhjot Kaur Vs. Amninder Singh Kahlon and another*', filed by the applicant/wife.

Both the aforesaid cases are pending in the Courts at Gurdaspur and the applicant is seeking transfer of the same to the Court of competent jurisdiction at Pathankot.

In pursuance of the notice issued, contesting respondent made appearance through counsel and filed replies in the respective applications.

The counsel for the parties heard.

For the convenience of discussion, the parties shall be referred to, as pleaded in TA-1313-2024.

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 09.05.2008. One daughter born from the said wedlock, who is about 16 years old, is in the care and custody of the mother. Also, it is submitted that



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the respondent is a practising Advocate in the Courts at District Gurdaspur and therefore, all the Advocates of the local Bar of Gurdaspur, are under the influence of the respondent. In the light of the same, it is submitted that it is difficult for the applicant, who is working as Assistant District Attorney, presently posted in the Courts at Batala, to defend the divorce petition.

On the other hand, the counsel for the respondent-wife, while making reference to the reply filed, submits that the reason for seeking transfer is not satisfactory, though he admits that the respondent is practising Advocate of Gurdaspur Bar. Also, the counsel for the respondent submits that both the cases, which are sought to be transferred, are at the stage of recording of respondent evidence and the applicant is represented by Mr. Gaurav Mahajan, Advocate, in both the cases, who is conducting the proceedings. As such, it is submitted that the reason, so assigned, for transfer of the cases, is false and frivolous.

Considering the rival submissions, it is pertinent to mention that one of the spouse, being a practising Advocate, may have some influence over the Bar, at times, though, it is not recorded in with regard to the present case, but however, the same can be considered in the backdrop of various other circumstances, spelt out from the material brought on record. In the case in hand, though, it is submitted that the respondent, who is wife, is having influence over the local Bar, but this is a vague assertion coming forth. No such material is brought on record to raise such an inkling of the exercise of influence, on the part of the respondent. Moreover, both the cases, which are sought to be transferred, are at the stage of respondent evidence and thus, they are at a mature stage. Even, the applicant is



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represented by the counsel in both the petitions.

In view of the aforesaid fact situation, there is no merit in both the transfer applications. Hence, both the transfer applications are hereby dismissed.

04.08.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No