



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

Sr. No.201

**TA-22-2025 (O&M)
Date of Decision: 08.09.2025**

MANJEET KAUR

....Applicant

Versus

AMANDEEP SINGH

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Dheerja, Advocate
for the applicant.

Mr. A.S.Manna, Advoate
for the respondent.

ARCHANA PURI, J. (Oral)

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-275-2024 titled '*Amandeep Singh v/s Manjit Kaur*', filed by the respondent-husband, pending in the Family Court, Mansa and she seeks transfer of the same to the Court of competent jurisdiction at Chandigarh.

Upon notice, the respondent made appearance through counsel and filed the reply.

Counsel for the parties 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 21.02.2018 and one daughter born from the said wedlock, who is about 2 years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and she along with her minor daughter is



dependent upon her parental family. The distance between the two places is stated to be 182 kms. Also, it is submitted that apart from petition under Section 9 of Hindu Marriage Act, no other litigation is pending between the parties.

On the other hand, counsel for the respondent while making reference to the reply submits that the applicant has not come to the court with clean hands. In fact, she is not financially dependent upon her parental family, as she is working as computer teacher in Mani Majra and Chandigarh and has handsome income. Besides the same, it is submitted that the respondent is ready to rehabilitate the applicant and for this reason, he had filed petition under Section 9 of Hindu Marriage Act.

In view of the rival submissions aforesaid, it is pertinent to mention that generally the courts give preference to the convenience of the wife, while considering the transfer application, relating to the matrimonial dispute. In the case in hand, there is one daughter born from the wedlock of the parties to the lis, is in the care and custody of the applicant. Though, it is the claim of the applicant that she has no source of earning, but however, counsel for the respondent submits that the applicant is working as computer teacher. However, on query with regard to this recital, counsel reiterated that the applicant is not working. Even, in the reply, apart from this assertion, no further particulars have been given of the place, where the applicant is working as computer teacher. The distance between the two places is stated to be 182 kms. Considering the said distance and more particularly, the child being in the care and custody of the applicant, who herself is not having any source of earning, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA-275-2024 titled '*Amandeep Singh v/s Manjit Kaur*', filed by the



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respondent-husband, stands transferred from the Family Court, Mansa, to the Court of competent jurisdiction at Chandigarh. The requisite record of the aforesaid case be sent by the Family Court, Mansa, 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.

08.09.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No