



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

Sr. No.246

**TA-619-2024
Date of Decision: 07.05.2025**

SEEMA RANI

....Applicant

Versus

VIRENDER JAGLAN

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ravinder Hooda, Advocate
for the applicant.

Mr. Rahul Jaswal, Advocate
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/246/2023 titled "*Virender Jaglan v/s Seema Rani*", filed by the respondent/husband, which is pending in the courts at Panipat and she seeks transfer of the same to the court of competent jurisdiction at Rohtak.

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 was solemnized on 27.04.2022 and one son born from the said wedlock, aged about 2 years, is presently in the care and custody of the applicant. The applicant is not having any source of earning and is totally dependant upon her parental



family. The applicant has also filed petition under Section 12 of Domestic Violence Act as well as petition under Section 125 Cr.P.C., which is pending in the courts at Rohtak and the respondent is already pursuing both the aforesaid petitions. As such, a prayer has been made for transfer of the petition under Section 9 of Hindu Marriage Act, from Panipat to Rohtak.

On the other hand, counsel for the respondent while making reference to the reply, submitted that the distance between the two places is only 75 kms and as such, he has no objection, if the applicant is allowed to join the proceedings through video conferencing.

In view of the submissions made aforesaid, it is essential to note that generally the courts lean towards the convenience of the wife, in case of transfer applications, relating to the matrimonial disputes, but however, the same is not the thumb rule. Various other circumstances spelt out, as such, are also to be taken into consideration. Though, the distance between the two places is about 75 kms, but however, the fact remains that the applicant is also taking care of the minor child, who is less than two years of age and she herself is not having any source of earning and is dependant upon her parental family. Even, two other litigation arising from this matrimonial dispute, are already pending in the courts at Rohtak, in which respondent is already making appearance.

Though, the counsel for the respondent had made a submission to direct the applicant to make appearance through video conferencing, but however, the fact remains that the respondent is already making appearance in the courts at Rohtak. Considering the same as well as considering the other mitigating circumstances, as observed aforesaid, the transfer application is hereby allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/246/2023 titled "*Virender Jaglan v/s Seema Rani*",



filed by the respondent/husband, stands transferred from the Family Court, Panipat, to the Court of competent jurisdiction at Rohtak. The requisite record of the aforesaid case be sent by the Family Court, Panipat, to the District and Sessions Judge, Rohtak.

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

However, the District Judge concerned to ensure all the cases to be tried by one Family Court and the court concerned shall make endeavour to adjourn all the cases, preferably on one and the same date, for the convenience of the parties to the lis.

Simultaneously, the respondent always has an option to file an application, for seeking permission to make appearance before the Court concerned, through virtual mode and the Court concerned shall pass an appropriate order, in the fitness of circumstances, considering the need for the personal appearance of the respondent.

07.05.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No