



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

Sr. No.229

TA-1260-2024

Date of Decision: 25.08.2025

**RAMANDEEP KAUR**

....Applicant

Versus

**GAGANDEEP SINGH AND ANOTHER**

.....Respondents

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

Present:- Mr. Himanshu Jain, Legal Aid Counsel  
for the applicant.

Mr. Nitin Sachdeva, Advocate  
for respondent No.1 (sole contesting respondent).

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

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/2272/2023, titled '*Gagandeep Singh Vs. Ramandeep Kaur and another*', filed by respondent No.1, pending in the Family Court, Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Hoshiarpur.

Upon notice issued, respondent No.1, who is the sole contesting respondent, made appearance through counsel. However, counsel for the respondent has given a statement that he does not intend to file reply to the transfer application, though he contests the same.

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 12.03.2018. One daughter born from the said wedlock, who is about 5 years



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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. Also, it is submitted that the applicant had filed a complaint i.e. COMI/64572/2023 and the same was dismissed, vide judgment dated 05.08.2024, copy whereof is Annexure A-2. Even, she had filed a criminal appeal i.e. CRA-13712-2024, to assail the judgment of dismissal and the same is pending in the Courts at Ludhiana.

On query by this Court, it has submitted by the counsel for the applicant that the appeal has been filed through legal aid counsel and the applicant intends to file petition for seeking transfer of the said appeal also. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 80 kilometres, to defend the divorce petition, more particularly, while taking care of the minor daughter.

On the other hand, counsel for the respondent submits that no application has been filed for seeking transfer of the criminal appeal and if the criminal appeal remains pending at Ludhiana, the applicant can very well pursue the divorce petition also, while it remains pending there.

In view of the submissions aforesaid, it is pertinent to mention that the Courts ought to take into consideration various other circumstances, spelt out from the material brought on record, apart from the assertions made in the transfer application. Herein, there is one criminal appeal, filed by the applicant, which is pending in the Courts at Ludhiana. However, counsel for the applicant, during the course of making submissions, has stated that he shall be filing the petition, for seeking transfer of the criminal case also. This is the sole ground, on which the respondent is resisting the transfer application. Also, it is pertinent to mention that there is one daughter born



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from the wedlock of the parties to the lis and she is in the care and custody of the applicant. Even, the applicant is not having any source of earning.

In view of the aforesaid fact situation and balancing the convenience/inconvenience, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/2272/2023, titled '*Gagandeep Singh Vs. Ramandeep Kaur and another*', filed by respondent No.1, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Hoshiarpur. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, to the District and Sessions Judge, Hoshiarpur.

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

**25.08.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No