



TA-264-2024

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

Sr. No.113

TA-264-2024

Date of Decision: 14.05.2025

PARUL SOOD

...Applicant

Versus

SUMIT SOOD

....Respondent

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

Present:- Mr. N.K. Manchanda, Advocate  
for the applicant.

Mr. K.S. Dhillon, Advocate  
for the 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/23/2024, titled '*Sumit Sood Vs. Parul Sood*', filed by the respondent-husband, pending in the Family Court, Kapurthala and she seeks transfer of the same to the Court of competent jurisdiction at Moga.

In pursuance of the notice issued, the respondent made appearance through counsel and filed reply.

The counsel for the parties heard.

At the very outset, it is submitted by the counsel for the



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applicant that the marriage between the parties to the lis, was solemnized on 07.12.2008. Two sons born from the said wedlock on 15.07.2010 and 11.05.2020, are in the care and custody of the applicant. Further, it is submitted that on account of this matrimonial dispute, apart from the divorce petition, no other litigation is pending between the parties. Also, the counsel submits that the elder son of the parties to the lis, is studying at Moga in 8<sup>th</sup> class. Further, it is submitted that the applicant, along with the children, is dependent upon her parental family, as she is not having any source of income. The distance between the two places is stated to be about 80 kilometres.

On the other hand, the counsel for the respondent submits that the applicant is indulging in tuition work and therefore, there is no necessity to transfer the divorce petition.

In view of the rival submissions made aforesaid, it is pertinent to mention that generally, the Courts lean towards convenience of the wife, in case of transfer applications, relating to the matrimonial disputes. It is further pertinent to mention that both the sons born from the wedlock of the parties, are in the care and custody of the applicant. The elder son is student of 8<sup>th</sup> class at Moga. Besides the same, the applicant has no source of earning and is totally dependent upon her parental family.

In view of the aforesaid fact situation, it is just and expedient to accept the application. Hence, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/23/2024, titled '*Sumit Sood Vs. Parul Sood*', filed by the respondent-husband, stands transferred from the Family Court, Kapurthala, to the Court of competent



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jurisdiction at Moga. The requisite record of the aforesaid case be sent by the Family Court, Kapurthala, to the District and Sessions Judge, Moga.

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

**14.05.2025**  
Himanshu

**(ARCHANA PURI)**  
**JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No