



TA-1332-2024 AND TA-1505-2024 (O&M)

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

**Sr. No.110 (2 cases)**

**Date of Decision: 24.09.2025**

**1.**

**TA-1332-2024**

**DR. MEHAK SIAM NARANG @ MEHAK SIAM**

**....Applicant**

**Versus**

**DR. KRISHNA ARORA**

**....Respondent**

**2.**

**TA-1505-2024 (O&M)**

**DR. MEHAK SIAM NARANG @ MEHAK SIAM**

**....Applicant**

**Versus**

**DR. KRISHNA ARORA**

**....Respondent**

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

Present:- Mr. Himanshu Puri, Advocate  
for the applicant (in both the cases).

Mr. M.S. Dua and Mr. Himanshu Joshi, Advocates  
for the respondent (in both the cases).

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

These are two applications, filed by Dr. Mehak Siam Narang @  
Mehak Siam-applicant/wife, for seeking transfer of the litigation, pending



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between the parties to the lis.

TA-1332-2024 has been filed by the applicant-wife for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. DMC/296/2024, titled '*Krishna Arora Vs. Dr. Mehak Siam Narang*', filed at the instance of respondent-husband.

TA-1505-2024 has been filed by the applicant-mother, for seeking transfer of the petition under Section 25 of the Guardians and Wards Act i.e. GW/38/2024, titled '*Krishna Arora Vs. Dr. Mehak Siam Narang*', thereby seeking custody of the minor child, born from the wedlock of the parties to the lis.

Both the aforesaid cases are pending in the Courts at Ferozepur and the applicant is seeking transfer of the same to the Court of competent jurisdiction at Kharar, District SAS Nagar.

In pursuance of the notice issued, the respondent made appearance through counsel, in both the transfer applications. In TA-1332-2024, reply was filed. However, in TA-1505-2024, counsel has given a statement that reply filed in the connected transfer application i.e. TA-1332-2024, be considered as reply in the said application also.

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 11.12.2018. One son born from the said wedlock, who is about 5 years old, is in the care and custody of the applicant. However, on account of the matrimonial dispute, the parties are residing separate. Also, it is submitted that the respondent is also residing in village Sohana, District SAS Nagar



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and therefore, it shall not be difficult for him to pursue the litigation, if so transferred to the Courts at Kharar. Also, it is submitted that both the applicant, as well as the respondent are working as 'Dentist'. On account of job exigencies, while taking care of the minor son, it is submitted that it is difficult for the applicant, to defend the aforesaid litigation, if it remains pending at Ferozpur. The distance between the two places is stated to be 220 kilometres.

Also, it is submitted that the petition under Section 125 Cr.P.C., filed by the applicant to seek maintenance for the son, is already pending in the Courts at Kharar and the respondent is pursuing the same. Moreover, it is submitted that after filing of the transfer application qua the petition under Section 25 of the Guardians and Wards Act, the respondent has filed an application under Section 12 of the Guardians and Wards Act, wherein he has stated about himself to be a resident of 'House No.593, Sector 78, Village Sohana, District SAS Nagar. Furthermore, it is brought to the notice of this Court that after filing of the transfer application(s), with the intervention of the Court, the compromise was effected between the parties. In compliance of the said compromise, an amount of Rs.20,000/-, as maintenance for the child, for the month of September, 2025, was paid by the respondent on 12.09.2025. However, the arrears are to the extent of Rs.2,40,000/-, as yet, which are to be cleared, as per the compromise, out of which Rs.1,20,000/- are payable on or before 30.09.2025 and the second instalment of Rs.1,20,000/- is payable, on or before 30.10.2025. Counsel for the applicant has drawn the attention of this Court to Clause No.7 of the compromise, copy whereof is placed on record today, whereby it has been



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settled between the parties that they shall continue to proceed or initiate the other legal proceedings, in addition to the matrimonial dispute, or other claims, as per law.

On the other hand, counsel for the respondent, while making reference to the reply filed, submits that the applicant is a financially independent woman, as she is working in MAX Hospital as ‘Dentist’. Therefore, it should not be difficult for her to pursue the litigation, even if it remains pending at Ferozpur.

In view of the rival submissions aforesaid, it is pertinent to mention that the Courts generally lean towards convenience of the wife, while considering the transfer application relating to the matrimonial dispute, though it may not be a thumb rule. Various other circumstances, spelt out from the material brought on record, ought to be taken into consideration. Time and again, the Courts have been dilating upon the various factors, which ought to be taken into consideration, while considering the transfer applications. Few of them are “*as to which spouse is having the custody of the child (if any); financial viability to maintain the child, distance between the two places and convenience of the parties/witnesses, so on and so forth*”. However, it is pertinent to mention that each case has to be decided in its own background and circumstances. One circumstantial distinction can change the decision of the transfer application.

In the case in hand, there is one son born from the wedlock of the parties, who is about 5 years old and is in the care and custody of the applicant/mother. This is the prime consideration, to which the weightage



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ought to be given. Both the applicant and the respondent, are working as 'Dentist' and as such, they are bound to be financially independent. However, this factor in itself is not sufficient. The transfer application has to be decided, while watching the 'best interest' of the child. Though, in the application under Section 12 of the Guardians and Wards Act, compromise has been effected, which has been placed on record, but however, from the same, it is evident that arrears of Rs.2,40,000/-, are still outstanding, against the respondent. Only an amount of Rs.20,000/- has been paid, as maintenance for the child, for the month of September 2025. Besides the said arrangement, which is yet to be complied with, also it is significant to note that in the application under Section 12 of the Guardians and Wards Act, copy whereof is coming on record as Annexure P-5 (in TA-1505-2024), apart from mentioning his address of Ferozepur City, the respondent has also mentioned about himself to be a resident of House No.593, Sector 78, Village Sohana, District SAS Nagar. Thus, from the same, it is evident that the respondent is having a parallel set up for his residence at village Sohana, District SAS Nagar. Considering the same, it should not be much difficulty for the respondent, to pursue the litigation, if so transferred to Kharar.

Considering the aforesaid aspect, as well as watching the 'best interest' of the child, who is in the care and custody of the applicant/mother, who is residing in SAS Nagar, it is just and appropriate to accept the applications.

In view of the aforesaid fact situation, both the transfer applications i.e. TA-1332-2024 and TA-1505-2024 are hereby allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/296/2024,



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titled '*Krishna Arora Vs. Dr. Mehak Siam Narang*', as well as the petition under Section 25 of the Guardians and Wards Act i.e. GW/38/2024, titled '*Krishna Arora Vs. Dr. Mehak Siam Narang*', stand transferred from the Family Court, Ferozpur, to the Court of competent jurisdiction at Kharar, District SAS Nagar. The requisite records of the aforesaid cases be sent by the Family Court, Ferozpur, to the District and Sessions Judge, SAS Nagar.

Learned District and Sessions Judge, SAS Nagar, shall assign the said cases to the Family Court (Camp Court) Kharar. Even, the parties are directed to appear before the Family Court (Camp Court) Kharar, within a period of one month from today onwards.

Pending civil miscellaneous application in TA-1505-2024, also stands disposed of.

**24.09.2025**  
Himanshu Vats

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

Whether speaking/reasoned : Yes

Whether reportable : Yes/No