



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

Sr. No.122

**TA-1102-2024 (O&M)
Date of Decision: 07.08.2025**

SUMEETPAL KAUR

...Applicant

Versus

RANJODH SINGH

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ravi Malhotra, Advocate
for the applicant.

Ms. Shrishti S. Sharma, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

CM-12933-CII-2025

The present application has been filed for placing on record the reply at the behest of the respondent.

In view of the averments made in the application, same is allowed and the requisite reply is taken on record.

Main case

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/25/2024 titled '*Ranjodh Singh v/s Sumeetpal Kaur*', filed by the respondent-husband, pending in the Family Court, Tarn Taran and she seeks transfer of the same to the Court of competent jurisdiction at Jalandhar.

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, had taken place on 29.12.2016, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant is qualified, M.B.B.S, M.S (Gyane) doctor and she is presently posted in Apollo Hospital, Amritsar. The applicant has got lodged FIR No.30 dated 12.04.2024, under Section 498-A IPC and the respondent is facing trial in the said case. Since, there is no one in the family to accompany her, it is difficult for her to defend the petition under Section 9 of Hindu Marriage Act, pending at Tarn Taran.

On the other hand, counsel for the respondent assiduously submitted that the applicant is not residing at Jalandhar. In fact, she is working as Gynecologist at Apollo Hospital, Amritsar. She has not stated about her residence at Amritsar in the memo of parties. Counsel for the respondent further submits that the applicant is well educated and financially independent, as such, she can take care of the litigation, even though, the same is pending at Tarn Taran. Moreover, Tarn Taran is at a distance of about 40 kms at the maximum from the place, where the applicant is residing, which fact has been suppressed by her.

In view of the rival submissions aforesaid, it is pertinent to mention that generally the courts lean towards the convenience of the wife, while adjudicating on the transfer applications, relating to the matrimonial dispute, but however, it is not a thumb rule. Various other circumstances, coming forth, from the material brought on record, ought to be taken into consideration.

In the case in hand, the applicant is a qualified medical professional and she is working as a Gynecologist. On query by the court, it



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has been disclosed by the counsel for the applicant that the applicant is employed in Apollo Hospital, Amritsar. This fact, did not find mention in the application. On further query, it is submitted that the applicant is making up and down from Jalandhar to her place of work. This is stated to be palpably wrong by the counsel for the respondent. Also, the reference has been made by the counsel to the copy of the petition under Section 9 of Hindu Marriage Act, copy whereof is Annexure P-2, wherein both the addresses of the applicant, relating to Tarn Taran as well as her place of residence in Amritsar, have been mentioned.

On further query by the court, counsel submits that the address, which is mentioned in Annexure P-2 i.e. the petition under Section 9 of Hindu Marriage Act, is also the correct address of her place of residence at Amritsar. This in itself, demolishes the claim of the applicant about herself making up and down from Jalandhar. Even, if for the sake of arguments, it is assumed that the applicant is making up and down from Jalandhar to her workplace, then also, she being a well educated professional person, can very well pursue the litigation, pending in Tarn Taran, which is at a distance of about 30-35 kms, from her work place. Moreover, she is not required to make appearance in person, on each and every date of hearing.

Considering all the aforesaid circumstances, no case is made out for allowing the transfer application.

Hence, the transfer application is hereby dismissed.

(ARCHANA PURI)
JUDGE

07.08.2025

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Whether speaking/reasoned : Yes

Whether reportable : Yes/No