



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

Sr. No.206

TA-1291-2024

Date of Decision: 05.09.2024

MANPREET KAUR

...Applicant

Versus

GURLAL SINGH

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Deepak Kumar, Advocate
for the applicant.

Respondent *ex parte*, vide order dated 12.08.2025.

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/518/2023 titled '*Gurlal Singh v/s Manpreet Kaur*', filed by the respondent-husband, pending in the Family Court, Sangrur and she seeks transfer of the same to the Court of competent jurisdiction at Mansa.

In pursuance of notice issued, the respondent did not make appearance and was proceeded against *ex parte*.

Counsel for the applicant heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties, had taken place on 13.03.2016 and two children, one son and one daughter, born from the said wedlock, are in the care and custody of the respondent. On account of the matrimonial dispute, the parties are residing separate. The applicant is stated to be working as tailor. It is also submitted that there is no other litigation



pending between the parties, apart from the divorce petition. The distance between the two places is stated to be 40 kms.

In view of the submissions made aforesaid, it is pertinent to mention that generally the courts lean towards the convenience of the wife, while considering the transfer applications, relating to the matrimonial disputes, but however, the same is not a thumb rule. Various other circumstances spelt out from the material brought on record, ought to be taken into consideration. In the case in hand, two children born from the wedlock of the parties, who are in the age group of 7 to 9 years, are in the care and custody of the respondent. The distance between the two places, where the divorce petition is pending and where it is sought to be transferred, is about 40 kms.

Considering all the aforesaid circumstances, balancing the convenience/inconvenience of the parties, more particularly, while considering the fact that the two children born from the wedlock of the parties, to be in the care and custody of the respondent, no such inconvenience is evidently made out, which outweighs the interest of the children.

Hence, the transfer application is hereby dismissed.

05.09.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No