



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

Sr. No.108

**TA-671-2024 (O&M)
Date of Decision: 08.05.2025**

SWATI WALIA

....Applicant

Versus

ANKIT GOYAL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Satvik Bansal, Advocate
for the applicant.

Mr. Saurabh Arora, Legal Aid Counsel
for the respondent.

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/108/2024 titled "*Ankit Goyal v/s Swati Walia*", filed by the respondent/husband, which is pending in courts at Muktsar and she seeks transfer of the same to the court of competent jurisdiction at Ambala.

Upon notice, the respondent made appearance through counsel and filed the reply.

Counsel for the parties heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties was solemnized on 03.05.2022, but no child was born from the said wedlock. On account of matrimonial dispute, the parties are residing separate. Also, it is submitted that the applicant, at present, is working with Amazon company, qua which



she has taken work from home duty and she is earning Rs.3,00,000/- per annum. Her entire family is dependent upon her earnings. In the given circumstances, it is submitted that it is difficult for her to commute a distance of about 264 kms, to defend the divorce petition. Besides the divorce petition, there is no other litigation pending between the parties.

On the other hand, counsel for the respondent submits that the distance is being 264 kms between the two places, it shall also be difficult for him, to commute such distance, if the transfer application is accepted.

In view of the rival submissions aforesaid, it is pertinent to mention that generally the courts lean towards the convenience of wife in case of transfer applications, relating to the matrimonial disputes, but however, it is not a thumb rule. Various other circumstances coming forth ought to be taken into consideration. Herein, the distance between Sri Muktsar Sahib and Ambala is about 264 kms, which, as such, is not disputed even by the counsel for the respondent. The said extent of distance will be inconvenient for the respondent also, in case the transfer application is accepted. This is the most important weighing factor, which has to be taken into consideration.

Considering the same, making the balance of the convenience of both the applicant as well as respondent, the court expressed its desire to transfer the case at any mid-point station and on query both the counsel have agreed for transfer the petition at any station under Sangrur or Patiala.

Considering the aforesaid circumstances, the transfer application, as such, is hereby partly allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/108/2024 titled "*Ankit Goyal v/s Swati Walia*", filed by the respondent/husband, stands transferred from the Family Court, Sri Muktsar Sahib to the Family Court, Patiala. The requisite



record of the aforesaid case be sent by the Family Court, Sri Muktsar Sahib to the District and Sessions Judge, Patiala.

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

08.05.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No