



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

104

**TA-1399-2023(O&M)
Date of Decision: July 30, 2025**

Sandeep Kaur

...Applicant

Versus

Harjeet Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Amit Kumar Walia, Advocate
for the applicant (through Video Conferencing).

Ms.Pragun Marwaha, Advocate for
Mr.J.S.Jaidka, Advocate for the respondent.

ARCHANA PURI, J.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act, filed by respondent-husband bearing No.HMA-1764-2023, titled 'Harjeet Singh vs. Sandeep Kaur', pending in the Family Court, Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Sangrur.

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

Learned counsel for the parties heard.

At the very outset, it is submitted by learned counsel for the applicant that marriage between the parties to the lis, had taken place on

**TA-1399-2023****-2-**

20.03.2022, but no child was born from the said wedlock. However, on account of matrimonial dispute, the parties are residing separate. It is further submitted that the applicant is not having any source of earning. She had filed petition under Section 12 of the Protection of Women from Domestic Violence Act, which is pending in the Courts at Dhuri and the respondent is pursuing the same. Also, it is submitted that after filing of the present application, the applicant has also filed petition under Section 125 Cr.P.C., which is pending in the Courts at Dhuri and the same is pursued by the respondent through counsel.

On the other hand, learned counsel for the respondent, while making reference to the reply submits that the respondent, who is in Army, is posted at Kolkata and the entire litigation, is pursued by his mother, who is also having age related problems. Furthermore, it is submitted that distance has been erroneously stated to be 80 kms., whereas, it is only 65 kms. between the two places.

In view of the submissions aforesaid and also taking into consideration the weightage to be given to the wife, in the case of transfer application, relating to matrimonial dispute, it is pertinent to mention that the applicant is not having any source of earning and on account of matrimonial discord, she has filed two petitions, which are pending in the Courts at Dhuri and the same are being pursued by the respondent. Even if, it is submitted that the distance is not 80 kms. and even if it be considered as 65 kms., as asserted by learned counsel for the respondent, then also, in view of the fact of applicant not having any source of earning and pursuing

**TA-1399-2023****-3-**

of the litigation by the respondent, pending at Dhuri, it is just and expedient to accept the transfer application. As such, the present transfer application is hereby allowed and the petition under Section 13 of the Hindu Marriage Act, filed by respondent-husband bearing No.HMA-1764-2023, titled 'Harjeet Singh vs. Sandeep Kaur', stands transferred from the Family Court Ludhiana, to the Court of competent jurisdiction at Dhuri, District Sangrur. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana to the District and Sessions Judge, Sangrur.

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

July 30, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No