



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

**Sr. No.101**

**TA-471-2023**

**Date of Decision: 28.03.2025**

**SHEELA @ SHEELA DEVI**

**....Applicant**

**Versus**

**CHAND RAM**

**.....Respondent**

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

Present:- Mr. Arihant Goyal, Advocate  
for the applicant  
(through video conferencing).

None for the respondent.

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

As per the observations made in the order dated 10.03.2025, despite service, the respondent did not make appearance on that date. Even today, he has not made appearance. As such, the respondent is proceeded against *ex parte*.

The counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/140/2022, titled '*Chand Ram Vs. Sheela*', filed by the respondent-husband, pending in the Family Court, Rohtak and she seeks transfer of the



same to the Court of competent jurisdiction at Sonapat.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 06.06.1998. Three children born from the said wedlock, who are in the age group of 16-23 years, are in the care and custody of the respondent-husband. The applicant is not earning anything and as such, she is dependent upon her married sister, with whom, she is residing, as her parents have since died. Also, it is submitted that the respondent is working in Police Department and as such, the applicant apprehends danger to her life, at his instance.

In view of the submissions aforesaid, it is pertinent to mention that generally the Courts give preference to the convenience of the wife, in case of transfer applications relating to the matrimonial dispute, but however, this is not a thumb rule. Various circumstances spelt out from the material brought on record also ought to be taken into consideration. In the case in hand, all the three children born from the wedlock of the parties, are in the care and custody of the respondent-husband. Though, the respondent is working in the Police Department, but this in itself is not a fact, as projected by the counsel for the applicant, to transfer the case, more particularly, when no material is coming forth, about the applicant, having taken any action, with regard to the alleged apprehension. Besides the same, it is pertinent to mention that the distance between Rohtak and Sonapat is about 40 kilometres, which is not such a distance, which will cause any inconvenience to the applicant, more particularly, when she is not having any liability to take care of the children.

Considering the aforesaid circumstances and also taking into consideration the fact of there being no requirement of the applicant to make



appearance physically before the Court concerned, on each and every date of hearing, the applicant always has an option to file an application before the Court concerned, for securing her presence through video conferencing, as and when required and the Court concerned shall consider the said application appropriately, if so filed. If in any circumstance, the applicant is required to make appearance physically, she can always file an application before the Court concerned to seek litigation expenses.

In view of the aforesaid fact situation, the transfer application is hereby dismissed.

**28.03.2025**

Himanshu

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No