



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

Sr. No.203

TA-1059-2024

Date of Decision: 24.09.2025

NEHA

....Applicant

Versus

ARJUN

.....Respondent

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

Present:- Mr. Dhruv Gupta, Advocate  
for the applicant.

Mr. L.S. Mann, Advocate  
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/677/2024, titled '*Arjun Vs. Neha*', filed by the respondent-husband, pending in the Family Court, Chandigarh and she seeks transfer of the same to the Court of competent jurisdiction at Ambala.

In pursuance of notice issued, the respondent made appearance through counsel and filed 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 to the lis, had taken place on 18.02.2022, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is 6<sup>th</sup> class pass and she has no source of earning. Also, it is submitted that the petition under Section 144 of the Bharatiya Nagarik



TA-1059-2024

Suraksha Sanhita, 2023 i.e. MNT-125/305/2024, has been filed by the applicant, which is pending in the Courts at Ambala, at appearance stage. Besides the same, the petition under the Protection of Women from Domestic Violence Act i.e. DV/179/2024, has been filed by the applicant, which is also pending in the Courts at Ambala and the respondent is making appearance in the same. Furthermore, it is submitted that till date, no maintenance has been paid by the respondent, to the applicant. In the given circumstances, it is submitted that it is difficult for the applicant, to commute the distance of even 45 kilometres, to defend the divorce petition.

On the other hand, counsel for the respondent, while making reference to the reply filed, submits that the distance is not such, on which account, it is difficult for the applicant, to pursue the litigation, pending at Chandigarh.

In view of the submissions aforesaid, it is pertinent to mention that generally, the Courts lean towards convenience of the wife, while adjudicating on the transfer application relating to the matrimonial dispute, though, it may not be 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, the applicant is not well-educated, as submitted by the counsel for the applicant and she is not having any source of earning. Even, till date, no maintenance has been paid by the respondent, to the applicant. Besides the same, there are two other cases, pending in the Courts at Ambala.

Considering the aforesaid mitigating circumstances, though the distance is not such, but however, there is bound to be inconvenience to the applicant, to pursue the litigation, pending at Chandigarh. Considering the



TA-1059-2024

same, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/677/2024, titled '*Arjun Vs. Neha*', filed by the respondent-husband, stands transferred from the Family Court, Chandigarh, to the Court of competent jurisdiction at Ambala. The requisite record of the aforesaid case be sent by the Family Court, Chandigarh, to the District and Sessions Judge, Ambala.

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

**24.09.2025**  
Himanshu Vats

**(ARCHANA PURI)**  
**JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No