



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

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TA-377-2025(O&M)

Date of Decision: September 02, 2025

Komal Heera

...Applicant

Versus

Rajveer Singh Duggal

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Anupam Bhanot, Advocate
for the applicant.

Mr.Karanpreet Singh and Mr.Som Nath, Advocates for
Mr.T.S.Chauhan, 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, titled 'Rajveer Singh Duggal vs. Komal Heera', pending in the Family Court, Jalandhar and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

In pursuance of the notice issued, the respondent through his attorney had made appearance through counsel and filed the reply.

Counsel for the parties heard.

At the very outset, it is submitted by learned counsel for the applicant that the marriage between the parties had taken place on 25.10.2023, but however, on account of matrimonial dispute, the parties are

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residing separate. The applicant is not working and as such, she is not having any source of earning. She is dependent upon her parental family. Also, it is submitted that the earlier, the applicant was working as a Receptionist in a private firm at Ludhiana, but however, after marriage, she is not working.

Further, it is submitted that FIR No.5 dated 06.02.2025 was got registered at police station NRI under Sections 406, 498-A and 120-B IPC, against the respondent, which is pending investigation. The distance between the two places is stated to be 60-70 kms.

On the other hand, learned counsel for the respondent, while making reference to the reply submits that in fact, it was only on account of conduct of the applicant that matrimonial dispute arose between the parties. In fact, the respondent had filed a complaint against the applicant, while he was in India, copy whereof is Annexure R-2 and only, as a counter-blast, the FIR has been got registered. Also, it is submitted the applicant has falsely stated herself to be not doing any work. In fact, she is working and the respondent had impressed upon the applicant to leave her work, but she had refused to take leave from her work.

In the given circumstances, it is submitted that there is fault on the part of the applicant and thus, the transfer application, be not allowed.

In view of the submissions aforesaid made by the rival parties, it is pertinent to mention that while considering the transfer application, relating to the matrimonial dispute, various circumstances as alleged and spelt out from the material brought on record, ought to be taken into



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consideration. Admittedly, the respondent is residing abroad and is pursuing the litigation, initiated at his instance, through his attorney. Though, at the behest of the respondent, it is alleged that the applicant is in fact working, but however, there is no material, as such, coming on record, to substantiate this plea. In fact, it is the categoric claim of the applicant that she is not working and as such, has no source of earning. Even, FIR No.5 dated 06.02.2025 was got registered against the respondent, which is pending investigation in Ludhiana. Given the same, though it is alleged to be counter-blast, but however, that is matter to be considered on merits.

Considering all the aforesaid facts, in the fitness of circumstances, the present transfer application, as such, is hereby allowed and the petition under Section 13 of the Hindu Marriage Act, filed by respondent-husband, titled 'Rajveer Singh Duggal vs. Komal Heera', stands transferred from the Family Court, Jalandhar, to the Court of competent jurisdiction at District Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Jalandhar to the District and Sessions Judge, Ludhiana.

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

September 02, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No