



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

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TA-1682-2024(O&M)

Date of Decision: September 02, 2025

Baby Kaur alias Ranbir Kaur

...Applicant

Versus

Dalbir Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Nikhil Kaushik and
Mr.Raghav Khanna, Advocates
for the applicant.

Mr.Rahul Kumar, Advocate
for the respondent
(through video conferencing).

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.DMC-87-2024, titled 'Dalbir Singh vs. Baby Kaur', pending in the Family Court, Rajpura and she seeks transfer of the same to the Court of competent jurisdiction at Khanna.

In pursuance of the notice issued, the respondent made appearance through counsel, at first instance. However, he was subsequently proceeded against ex-parte vide order dated 18.08.2025 and

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thereafter, he had again made appearance and was allowed to join the proceedings, at that stage on 29.08.2025. As such, the reply has not come on record.

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 03.12.2014, but no child was born from the said wedlock. Furthermore, it is submitted that parties are residing separate, on account of matrimonial dispute. The applicant has filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, which is pending in the Courts at Khanna and the respondent is making appearance in the same. The applicant is stated to be not having any source of earning.

In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 50 kms., to defend the divorce petition.

On the other hand, learned counsel for the respondent submits that the distance is too short to consider the inconvenience of the applicant. Moreover, there is complete road connectivity, on the said route and she can very well contest the litigation.

In view of the rival submissions, it is pertinent to mention that there is no such mitigating circumstance, spelt out, which impels this Court to accept the transfer application. The marriage is as old as about 11 years. There is no child born from the said wedlock. The distance between the two places is not more than 45 kms. and it has good road connectivity,



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which as such, seemingly, should not be causing inconvenience to the applicant, in pursuing the litigation.

Hence, this Court does not deem it appropriate to accept the transfer application and the same is hereby dismissed.

September 02, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No