



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

Sr. No.103

TA-405-2024

Date of Decision: 03.03.2025

MEENA

....Applicant

Versus

GOURAV BHARGOW

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sumit Sangwan, Advocate
for the applicant.

Ms. Neha Rana, 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. DMC/212/2024, titled '*Gourav Bhargow Vs. Meena*', filed by the respondent-husband, pending in the Family Court, Hisar and she seeks transfer of the same to the Court of competent jurisdiction at Charkhi Dadri.

In pursuance of the notice issued, respondent made appearance through counsel. The counsel for the respondent submits that she does not want to file reply to the transfer application, though, she contests the same.

Learned 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 11.11.2016. One son born from the said wedlock, who is about 6 years old, is in the care and custody of the applicant. However, on account of the matrimonial discord, the parties are residing separate. The applicant is not



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having any source of earning. There is stated to be no other case, pending between the parties, on account of this matrimonial dispute. As such, a prayer has been made for transfer of the divorce petition.

On the other hand, the counsel for the respondent submits that the fault was on the part of the applicant herself, when she left the matrimonial house.

In view of the submissions aforesaid, considering the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly, while considering the fact about the applicant to be taking care of the minor son, who is about 6 years old and also considering it difficult for her to commute a distance of about 125 kilometres, in view of she not having any source of earning, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/212/2024, titled '*Gourav Bhargow Vs. Meena*', filed by the respondent-husband, stands transferred from the Family Court, Hisar, to the Court of competent jurisdiction at Charkhi Dadri. The requisite record of the aforesaid case be sent by the Family Court, Hisar, to the District and Sessions Judge, Charkhi Dadri.

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

03.03.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No