



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

Sr. No.213

TA-322-2025 (O&M)  
Date of Decision: 10.09.2025

SONIKA

....Applicant

Versus

VINOD KUMAR

....Respondent

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

Present:- Mr. Piyush Aggarwal, Advocate  
for the applicant.

Mr. S.K. Daaria, Advocate  
for the respondent.

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

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. DMC/76/2024, titled '*Vinod Kumar Vs. Sonika*', filed by the respondent-husband, pending in the Family Court (Camp Court) Meham, District Rohtak and she seeks transfer of the same to the Court of competent jurisdiction at Jhajjar.

Upon 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



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01.08.2010. One son born from the said wedlock, who is about 14 years old, is in the care and custody of the respondent-husband. The applicant has filed the petition under Section 13 of the Hindu Marriage Act i.e. HMA/547/2024, which is pending in the Courts at Jhajjar. Further, it is submitted that the applicant is working as a JBT Teacher and is currently posted at Government Primary School, District Rewari. On account of her job exigencies, she covers a distance of about 100 kilometres everyday.

On the other hand, counsel for the respondent, while making reference to the reply filed, submits that the child is being taken care of by the respondent. The applicant is a well-educated and employed lady. She is financially independent and is making up-down, from the place of her residence to the place of her posting. In the given circumstances, she has the capacity and capacity to pursue the litigation, even if it remains pending at Meham, District Rohtak.

In view of the submissions aforesaid, it is pertinent to mention that even though, the Courts generally lean towards convenience of the wife, while considering the transfer application relating to the matrimonial dispute, but however, the same is not a thumb rule. Various other circumstances, spelt out from the material brought on record, ought to be taken into consideration. Each case has to be decided in its own factual background and one distinctive circumstance can change the decision of the transfer application. In the case in hand, the child born from the wedlock of the parties, is in the care and custody of the respondent, though he is stated to be about 14 years old. The applicant is a government JBT Teacher and is posted in District Rewari. The applicant herself has stated that she



commutes a distance of about 100 kilometres, to pursue her job.

On query by this Court, counsel for the applicant has stated that her place of residence, is at a distance of about 50 kilometres from Rewari and Meham is at a distance of about 65 kilometres from Jhajjar, whereas Rewari is at a distance of about 60 kilometres from Jhajjar. As such, believing the disclosure made by the counsel for the applicant, it is evident that all the three places i.e. the place of residence of the applicant, her workplace, as well as the place, where the litigation is pending, are equidistant.

In view of the aforesaid fact situation and taking into consideration about the applicant to be a confident and financially independent woman, who commutes everyday, to her workplace, no such inconvenience is seemingly there, on the part of the applicant, more particularly, when the son born from the wedlock of the parties is being taken care of by the respondent-husband.

In view of the aforesaid terms, no case is made out to transfer the petition under Section 9 of the Hindu Marriage Act. Hence, the transfer application is hereby dismissed.

Pending civil miscellaneous application also stands disposed of.

10.09.2025  
Himanshu

(ARCHANA PURI)  
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No