



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

Sr. No.120

Date of Decision: 22.05.2025

1.

TA-755-2024

SUSHMA BINDAL

....Applicant

Versus

SAURABH

....Respondent

2.

TA-1056-2024

SAURABH GOYAL AND OTHERS

....Applicants

Versus

SUSHMA

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Saurabh Dalal, Advocate
for the applicant (in TA-755-2024) and
for the respondent (in TA-1056-2024).

Mr. Arman Goyal and Mr. Samar Ahluwalia, Advocates
for the respondent (in in TA-755-2024) and
for the applicants (in TA-1056-2024).

ARCHANA PURI, J. (Oral)

There are two applications filed by the rival parties, for seeking
transfer of two cases arising from the estranged marriage.



TA-755-2024 & TA-1056-2024

TA-755-2024 has been filed by the applicant-wife for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/855/2024, titled '*Saurabh Vs. Sushma*', filed at the instance of respondent-husband, pending in Family Court, Faridabad and she seeks transfer of the same to the Court of competent jurisdiction at Jind.

TA-1056-2024 has been filed by the applicants for seeking transfer of the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. COMA/38/2024, titled '*Sushma Vs. Saurabh Goyal etc.*', filed by the respondent, pending in Family Court, Jind and she seeks transfer of the same to the Court of competent jurisdiction at Faridabad.

In pursuance of the notice issued, respective respondents made appearance through counsel in both the applications. Even, reply has been filed in TA-755-2024.

The counsel for the parties heard.

For the convenience of discussion, the parties shall be referred, as pleaded in TA-755-2024.

At this stage, both the counsel while taking into consideration the distance between the two places, where the cases are pending and where the parties are residing, have made a request to this Court, to transfer both the cases i.e. divorce petition, as well as the petition under the Protection of Women from Domestic Violence Act, to the Courts at Hansi, District Hisar. This statement has been given by both the counsel, taking into consideration the facts, as asserted in the applications, about alleged threat having extended to the husband and he being subjected to beatings, relating to which FIR has also been lodged, copy whereof is Annexure R-7.



TA-755-2024 & TA-1056-2024

Considering the aforesaid assertions and also apprehension of threat, at the instance of both the parties, it is appropriate to transfer both the cases to Hansi. Hence, both the transfer applications are hereby partly allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/855/2024, titled '*Saurabh Vs. Sushma*' and the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. COMA/38/2024, titled '*Sushma Vs. Saurabh Goyal etc.*', stands transferred to the Court of competent jurisdiction at Hansi, District Hisar. The requisite record of the aforesaid cases be sent by the Courts concerned, to the District and Sessions Judge, Hisar.

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

The Court concerned shall make an endeavour to adjourn both the cases, preferably for one and the same date.

22.05.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No