

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

Sr. No.120

TA-1070-2024

Date of Decision: 04.09.2025

PRIYA BHAGAT

...Applicant

Versus

MANDEEP KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ankur Bansal, Advocate
for the applicant.
(through video conferencing).

Mr. Rahul Bhargava and Mr. Kashav Chadha, Advocate
for the respondent.

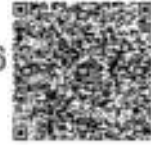
ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 i.e. case titled '*Mandeep Kumar Vs. Priya Bhagat*', filed by respondent-husband, pending in the Courts at Addl. Principal Judge, Family Court, Batala, District Gurdaspur and she seeks transfer of the same to the Court of competent jurisdiction at District Jalandhar.

In pursuance of notice issued, 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, had taken place on 07.05.2021, and one son born from the said wedlock, who is about 03-years old, is in the care and custody of the applicant. Moreover, on account of



matrimonial dispute, the parties are residing separate.

Further, it is submitted that the respondent, at first instance had also filed an application under Section 9 of the Hindu Marriage Act at Batala. In pursuance of the transfer application filed at the instance of the applicant i.e. TA-1339-2023, which was decided on 12.10.2023, the petition under Section 9 Hindu Marriage Act stood transferred to Jalandhar. However, at the back of the applicant, on dated 16.11.2023, a statement was made by the respondent before the Court concerned about the compromise, having been effected and thus had withdrawn the case, whereas, no such compromise had taken place. Subsequently, he has filed a divorce petition only with the purpose to harass the applicant.

Moreover, it is submitted that the applicant is not having any source of income and she has already filed petition under Section 125 Cr.P.C., which is pending in the Courts at Jalandhar and the respondent is not paying any maintenance.

On the other hand, the counsel for respondent submits that he had made an effort for reconciliation and on this account, compromise at his instance was also effected, but the applicant did not stick to the compromise.

In view of the rival submissions aforesaid and more particularly, taking into consideration the application under Section 9 of Hindu Marriage Act, earlier filed, which was withdrawn and also the minor child residing with the applicant, who herself is not having any source of income and also taking into consideration the fact of the other petition under Section 125 Cr.P.C., already pending in the Courts at Jalandhar, which is pursued by the respondent, the application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 i.e. case titled



'Mandeep Kumar Vs. Priya Bhagat', filed by the respondent-husband, stands transferred from the Courts at Batala, District Gurdaspur, to the Court of competent jurisdiction at District Jalandhar. The requisite record of the aforesaid case be sent by the Court concerned, to the District and Sessions Judge, Jalandhar.

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

04.09.2025

parul verma

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No