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TA No.98 of 2026

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110+213

CM No.13365-CII of 2026 in/and
Transfer Application No.98 of 2026 (O&M)
Date of Decision: 13.07.2026

AMANPREET KAUR

.....Applicant

Vs

ASHVINDER KAUR AND ORS.

.....Respondent(s)

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Arnav Sood, Advocate
for the applicant.

Mr. Sandeep Gors, Advocate
for respondent Nos.1 and 2.

*HARKESH MANUJA, J. (Oral)*CM No. 13365-CII of 2026

For the reasons mentioned in the application, the same is allowed.

Written statement filed on behalf of respondent nos.1 and 2 is taken on record.

Main case

1. The applicant, by way of present application, seeks transfer of case bearing No.CS/2246/2025, titled “*Ashvinder Kaur & another vs. Amanpreet Kaur and others*”, filed at the instance of respondent Nos.1 and 2; from the Court of learned Civil Judge, Senior Division, Amritsar to the learned Court of competent jurisdiction at Dasuya, District Hoshiarpur.

2. Briefly stating, the marriage between the applicant and son of respondent Nos.1 and 2 was solemnized on 02.06.2024. On account of matrimonial discord between the applicant and her husband, she moved a complaint and lodged

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FIR against her husband and respondent Nos.1 & 2, which are pending at Dasuya, District Hoshiarpur. It has been alleged that in order to harass the applicant, the abovementioned civil suit came to be preferred at the instance of respondent Nos.1 and 2. Thereupon, the present application seeking transfer thereof came to be filed by the applicant.

3. Learned counsel for the applicant, *inter alia*, contends that the applicant is residing with her parents and old grand-parents at Dasuya, District Hoshiarpur. Accordingly, a prayer is made for transfer of the above mentioned civil suit filed at the instance of respondent Nos.1 and 2, from the Court of learned Civil Judge, Senior Division, Amritsar to the learned Court of competent jurisdiction at Dasuya, District Hoshiarpur.

4. On the other hand, learned counsel for respondent Nos.1 and 2 vehemently opposes the prayer made on behalf of the applicant.

5. I have heard learned counsel for the parties and gone through the paper-book.

6. In the present case, admittedly, the applicant has filed the following cases which are pending adjudication before the learned Court at Dasuya, District Hoshiarpur:-

- (1) Complaint bearing FIR No.85 dated 28.09.2025 under Section 85 of BNS registered at P.S. Dasuya, District Hoshiarpur against respondent No.2 and his son.
- (2) Complaint under Sections 12, 18, 19, 20, 22 and 23 of the Protection of Women from Domestic Violence Act, 2005.



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(3) Petition under Section 144 BNS (Earlier Section 125 Cr.P.C.) for grant of maintenance allowance.

7. As per the averments made in the present transfer application, the applicant-wife is residing with her parents and has no independent source of income. The applicant is facing great difficulty in bearing the litigation charges and travelling expenses in pursuing the and for the financials, she is totally dependent upon her parents.

8. The parameters governing exercise of jurisdiction of Section 24 of the CPC, are not longer *res integra*. In *N.C.V. Aishwarya vs. A.S. Saravana Karthik Sha, 2022(7) SCC 328*, the Hon'ble Supreme Court held that the cardinal principle while exercising power under Section 24 CPC is that the ends of justice must warrant the transfer. The Hon'ble Court, further held that, while considering transfer in matrimonial matters, the Courts have to take into consideration the economic soundness of both the parties, the social strata of the spouses and their behavioural pattern, their standard of life prior to the marriage and subsequent thereto and the circumstances of both the parties in eking out their livelihood and under whose protective umbrella they are seeking their sustenance to life. The Hon'ble Court also emphasized that where multiple proceedings between the some parties are pending before different Courts involving common questions, it is desirable that they should be tried together by the same Court, so as to avoid multiplicity of proceedings and conflicting decisions.

9. Applying the aforesaid principles to the facts of the present case, this Court finds that the applicant-wife is residing with her parents at Dasuya, has no independent source of income; already prosecuting proceedings under the

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Protection of Women from D.V. Act, the maintenance proceedings and the criminal case at Dasuya. Requiring her to contest the present civil suit at Amritsar would result in unnecessary hardship, financial burden and multiplicity of proceedings. On the contrary, transfer of the civil suit at Dasuya would neither prejudice the respondents or cause them any irreparable inconvenience, while it would facilitate effective adjudication of all disputes between the parties at one place and obviate the possibility of conflicting findings.

10. Considering the aforesaid facts and circumstances, in the humble opinion of this Court, since three cases filed at the instance of the applicant, are pending adjudication at Dasuya, District Hoshiapur, therefore, it would be in the interest of both the parties that all their cases be heard together at the same place. Consequently the transfer application is **allowed** and the civil suit bearing No.CS/2246/2025, titled “Ashvinder Kaur & another vs. Amanpreet Kaur and others”, filed by respondent Nos.1 and 2, stands transferred from the Court of learned Civil Judge, Senior Division, Amritsar to the learned Court of competent jurisdiction at Dasuya, District Hoshiarpur. The requisite record of the aforesaid case be sent by the learned Trial Court to the Court concerned.

11. Pending miscellaneous application(s), if any, shall also stand disposed of.

July 13, 2026

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(HARKESH MANUJA)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No