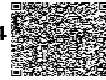


TA No.402 of 2026 (O&M)

2026:PHHC:084794



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

Transfer Application No.402 of 2026 (O&M)

Date of Decision: 13.07.2026

SUMAN DEVI

.....Applicant

Vs

NATHU RAM

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Deshpreet Singh, Advocate for the applicant.

Mr. J.S. Dadwal, Advocate for the respondent.

HARKESH MANUJA, J. (Oral)

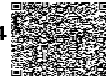
1. The applicant-wife, by way of present application, seeks transfer of case bearing **DMC/612/2025**, titled "**Nathu Ram Vs. Suman**", filed under Section 13 of the Hindu Marriage Act, 1955 (hereinafter to be referred as "**divorce petition**") at the instance of respondent-husband; from the Court of learned Addl. Principal Judge, Family Court, Phillaur to the learned Court of competent jurisdiction at Fazilka.

2. Briefly stating, the marriage between the applicant and respondent was solemnized on 25.11.2020 according to Hindu rites and ceremonies. On account of matrimonial discord between the parties, the above mentioned divorce petition came to be preferred at the instance of respondent-husband. Thereupon, the present application seeking transfer thereof came to be filed by the applicant-wife.

3. Learned counsel for the applicant states that the applicant-wife is residing in her parental home at Fazilka. Accordingly, a prayer is made for transfer of the above mentioned divorce petition filed at the instance of respondent-husband

TA No.402 of 2026 (O&M)

2026:PHHC:084794



from the Court of learned Addl. Principal Judge, Family Court, Phillaur to the learned Court of competent jurisdiction at Fazilka.

4. On the other hand, learned counsel for the respondent 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-wife has filed the following cases, which are pending adjudication before the learned Court at Fazilka:-

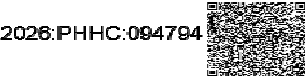
(1) Application under Section 144 BNSS, 2023 (MNT/19/2026) for grant of maintenance allowance.

(2) Application (COMA/49/2026) under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

(3) Complaint bearing No.COMI/41/2026) under Sections 406/498-A IPC (316(2), 85 of BNSS 2023).

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 said case and for the financials, she is totally dependent upon her parents.

8. Furthermore, the Hon'ble Supreme Court in its decision rendered in ***Manjula Singh Chouhan Versus Vishal Singh Chouhan***, reported as "**2019 (13) SCC 660**" held that, in the interest of both the parties, all connected matrimonial proceedings should ordinarily be heard by the same Court and, accordingly, allowed the transfer application therein. Relevant paragraph nos.3 to 5 are extracted hereunder:-



- “3. As per the submission of the appellant, two cases are already pending in Family Court, Bhopal, and it will be in the interests of both the parties to try all their cases in Bhopal. Learned counsel for the respondent however, submits that it will suit to the appellant only, therefore, transfer may not be permitted. The fact remains that the respondent has to travel to Bhopal for conduct of other cases pending in Family Court, Bhopal.
4. We are of the view that it will be in the interests of both the parties that all their cases be heard together by the same Court.
5. Therefore, H.M.A. Case No.71/2016 is transferred from Family Court, Indore to the Family Court, Bhopal.”
9. Considering the aforesaid facts and circumstances, in the humble opinion of this Court, since three cases i.e. application under Section 144 BNSS, 2023 for grant of interim maintenance, application under Section 12 of the D.V. Act and complaint under Sections 406/498-A IPC (316(2), 85 of BNSS 2023) , are pending adjudication at Fazilka, 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 divorce petition under Section 13 of the Hindu Marriage Act i.e. *DMC/612/2025*, titled “*Nathu Ram Vs. Suman*”, filed by the respondent-husband, stands transferred from the Court of learned Addl. Principal Judge, Family Court, Phillaur to the learned Court of competent jurisdiction at Fazilka. The requisite record of the aforesaid case be sent by the learned Family Court, Phillaur to the Court concerned.
10. Pending miscellaneous application(s), if any, shall also stand disposed of.

July 13, 2026
Atik

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No