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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA-788-2026
Date of Decision: July 27, 2026

MANJIT KAUR Applicant
Versus
JATINDER SINGH Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Yaman, Advocate for the applicant.
(legal aid counsel).

Mr. Kshitij Goel, Advocate for the respondent.

HARKESH MANUJA, J. (ORAL)

1. The applicant-wife, by way of present application, seeks transfer of petition bearing HMA/416/2026, titled “*Jatinder Singh Vs. Manjit Kaur*”, filed under Section 13 of the Hindu Marriage Act, 1955 (*hereinafter to be referred as “the Act”*) at the instance of respondent-husband; from the Court of learned Principal Judge, Family Court, Ambala to Court of competent jurisdiction at Chandigarh.
2. Briefly stating, the marriage between the applicant and respondent was solemnized on 14.04.2024; on account of matrimonial discord between the parties, the above mentioned petition under Section 13 of the Act, 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, *inter alia*, contends that the applicant-wife is residing at her parental home at Chandigarh. Accordingly, a prayer is made for transfer of the above mentioned petition filed at the instance of respondent-husband from Family Court, Ambala to

Family Court, Chandigarh.

4. On the other hand, learned counsel for the respondent vehemently opposes the prayer made on behalf of the applicant while submitting that two petitions under Section 144 BNSS for grant of maintenance and under the provisions of Protection of Women from Domestic Violence Act, 2005 pending at Chandigarh were filed by the applicant-wife merely to harass the respondent-husband as the same were filed after the petition under Section 13 of Hindu Marriage Act, 1955 was filed by the respondent-husband.

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 a petition under Section 144 of BNSS bearing No.MNT/125/18040/2026 for grant of maintenance and a petition under the provisions of Protection of Women from Domestic Violence Act, 2005 bearing No. COMP DV Act/18042/2026, which are pending adjudication before the learned Family Court at Chandigarh.

7. 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 paragraphs No. 3 to 5 thereof are reproduced 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.”

8. Considering the aforesaid facts and circumstances, in the humble opinion of this Court, since a maintenance petition under Section 144 BNSS and a petition under the provisions of Protection of Women from Domestic Violence Act, 2005 are pending adjudication at Chandigarh, 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 petition under Section 10 of the Hindu Marriage Act, 1955 i.e. HMA/416/2026, titled “***Jatinder Singh vs. Manjit Kaur***”, filed by the respondent-husband, stands transferred from the Court of learned Principal Judge, Family Court, Ambala to the Court of competent jurisdiction at Chandigarh. The requisite record of the aforesaid case be sent by the learned Family Court, Ambala to the Court concerned.
9. Pending miscellaneous application(s), if any, shall also stand disposed of.

27.07.2026
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>