



TA No.807 of 2026 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Transfer Application No.807 of 2026 (O&M)
Date of Decision: 18.08.2026

NARINDER KAUR @ MAMATA

.....Applicant

Vs

VIRENDER SINGH @ BUNTY

.....Respondent(s)

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

Present: Mr. G.K. Dhir, Advocate
for the appellant.

HARKESH MANUJA, J. (Oral)

1. The applicant-wife, by way of present application, seeks transfer of case bearing No. "HMA/618/29.05.2025" titled "*Virender Singh @ Bunty vs. Narinder Kaur @ Mamta*", 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 Additional Principal Judge (Family Court) at Ambala to the learned Family Court of competent jurisdiction at Ludhiana.

2. Briefly stating, the marriage between the applicant and respondent was solemnized on 11.11.2019; out of their wedlock, a female child namely, Surveen Kaur, was born on 29.08.2020; 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. As per averments made in the application, the applicant-wife alongwith her minor daughter is residing at Ludhiana at the mercy of her brother.

Accordingly, a prayer is made for transfer of the above mentioned divorce petition

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filed at the instance of respondent-husband from the Court of learned Additional Principal Judge (Family Court) at Ambala to the learned Family Court of competent jurisdiction at Ludhiana.

4. As per office report, notice is received back with the report that no such person is residing at the given address.

5. Learned counsel for the applicant submits that the respondent is deliberately avoiding the service as he is not appearing in any of the proceedings pending before the learned Court at Ludhiana. Even in the proceedings arising out of FIR No.57 dated 09.03.2022 which is pending in the Court of learned Chief Judicial Magistrate, Ludhiana, the respondent is not appearing despite issuance of non-bailable warrants followed by proclamation under Section 82 Cr.P.C. ordered against him. Further, in the proceedings arising out of Section 125 Cr.P.C., having paid a meager amount of Rs.50,000/- in the year 2024, the respondent has not paid any amount despite repeated conditional warrants been issued against him.

6. I have heard learned counsel for the applicant and gone through the paper-book.

7. In the present case, admittedly, the applicant-wife has filed the following cases which are pending adjudication before the learned Court at Ludhiana:-

(1) Execution application No.CRM 1034/2023 for grant of interim maintenance, pending before the Court of learned Additional Principal Judge, Family Court, Ludhiana.

(2) Application for attachment of car bearing Regn. No.HR05-AM-7307 owned by the respondent, pending before the Court of learned Additional Principal Judge, Family Court, Ludhiana.



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(3) Criminal case bearing No.CHI-61370/2022 arising out of FIR No.57 dated 09.03.2022, pending before the Court of learned Chief Judicial Magistrate, Ludhiana.

8. As per the averments made in the present transfer application, the applicant-wife is residing along with her minor daughter at Ludhiana at the mercy of her brother 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.

9. 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."

10. Considering the aforesaid facts and circumstances, in the humble opinion of this Court, since three cases i.e. execution application No.CRM 1034/2023 for interim maintenance, application for attachment of car of the respondent and complaint case bearing No.CHI-61370/2022, are pending adjudication at Ludhiana, therefore, it would be in the interest of both the parties

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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. HMA/618/29.05.2025, titled “Virender Singh @ Buntty vs. Narinder Kaur @ Mamta”, filed by the respondent-husband, stands transferred from the Court of learned Additional Principal Judge (Family Court) at Ambala to the learned Family Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the learned Family Court, Ambala to the Court concerned.

11. Pending miscellaneous application(s), if any, shall also stand disposed of.
12. Both the parties are directed to appear before concerned Court on 08.09.2026.

August 18, 2026
Atik

(HARKESH MANUJA)
JUDGE

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