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TA No.1323 of 2025 (O&M)

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

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CM No. 12568-CII of 2026 in/and
Transfer Application No.1323 of 2025 (O&M)
Date of Decision: 08.07.2026

AMANPREET KAUR

.....Applicant

Vs

GURVINDER SINGH

.....Respondent(s)

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

Present: Mr. Jaideep Verma, Advocate
for the applicant.

Mr. S.S. Swaich, Advocate and
Ms. Deepika, Advocate for the respondent.

*HARKESH MANUJA, J. (Oral)*CM No. 12568-CII of 2026

Prayer in the present application moved on behalf of the applicant-respondent is for preponing the date of hearing of main case from 13.10.2026 to an earlier date.

Notice of the application.

Learned counsel for the non-applicant/applicant-wife accepts notice and raises no objection against the prayer made in the application.

In view of the above and with the consent of learned counsel for the parties, hearing of the main case is preponed and taken up today itself.

Accordingly, the application is disposed of.

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

Short reply filed on behalf of the respondent-husband is taken on record.



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Main case

[1]. The applicant-wife, by way of present case, seeks transfer of case bearing *HMA/28/2021 (registered on 18.11.2020)*, titled “*Gurvinder Singh Vs. Amanpreet Kaur*”, filed under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights, at the instance of respondent-husband; from the Court of learned Principal Judge, Family Court at Fatehgarh Sahib, Punjab to the Court of learned Principal Judge, Family Court at Rupnagar, Punjab.

[2]. Briefly stating, the alleged marriage between the applicant and respondent was solemnized on 30.06.2020. Thatafter about one week of the marriage, the applicant-wife at her own went to her parental house and since then did not return to her matrimonial house. Thereafter, the above mentioned petition for restitution of conjugal rights, 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 has also filed petition No.HMA/214/2021 under Section 11 of the Hindu Marriage Act, 1955, before the Court of learned Principal Judge, Family Court, Rupnagar, wherein the respondent-husband is regularly appearing. It is further submitted that the applicant is working in abroad and appearing through her father, being attorney holder. However, due to old age of father of the applicant, he is not able to properly pursue the petition filed by the respondent-husband at Fatehgarh Sahib. Accordingly, a prayer is made for transfer of the above mentioned petition filed at the instance of respondent-husband from the

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Court of learned Principal Judge, Family Court at Fatehgarh Sahib, Punjab to the Court of learned Principal Judge, Family Court at Rupnagar, Punjab.

[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 petition No.HMA/214/2021 under Section 11 of the Hindu Marriage Act, 1955, before the Court of learned Principal Judge, Family Court, Rupnagar, wherein the respondent-husband is regularly appearing.

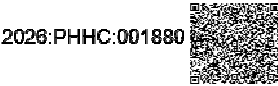
[7]. Furthermore, the Hon'ble Supreme Court in its decision rendered in *Manjula Singh Chouhan Versus Vishal Singh Chouhan*, reported as "2019 (13) SCC 660" held that, in the interest of both the parties, all connected matrimonial proceedings should ordinarily be heard by the same Court and, accordingly, allowed the transfer application therein. Relevant 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."

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[8]. Considering the aforesaid facts and circumstances, in the humble opinion of this Court, since a petition under Section 11 of the Hindu Marriage Act, 1955 is pending adjudication at Rupnagar, therefore, it would be in the interest of both the parties that all their cases be heard together by the same Court. Consequently the transfer application is **allowed** and the petition under Section 9 of the Hindu Marriage Act i.e. *HMA/28/2021 (registered on 18.11.2020)*, titled “*Gurvinder Singh Vs. Amanpreet Kaur*”, filed by the respondent-husband, stands transferred from the Court of learned Principal Judge, Family Court at Fatehgarh Sahib, Punjab to the Court of learned Principal Judge, Family Court at Rupnagar, Punjab. The requisite record of the aforesaid case be sent by the learned Family Court, Fatehgarh Sahib to the Court concerned.

[9]. Pending miscellaneous application(s), if any, shall also stand disposed of.

July 08, 2026	(HARKESH MANUJA)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No