

2026:PHHC:095841



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

TA-63-2025 (O&M)

Decided on:-14.07.2026

Priyanka Vashisht

....Applicant.

vs.

Nitin Mukesh

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Yukti Garg, Advocate for
Mr. Shantanu Bansal, Advocate,
for the applicant.

Mr. Yogesh Jangra, Advocate for the respondent.

HARKESH MANUJA J. (Oral)

1. The applicant-wife, by way of present application, seeks transfer of petition bearing DMC/1019/2022, titled as “*Nitin Mukesh vs. Priyanka Vashisht*” filed under Section 13 of the Hindu Marriage Act, 1955 (***hereinafter to be referred as “1955 Act”***) at the instance of respondent-husband; from the Court of learned District Judge, Family Court, Hisar to the competent Court of jurisdiction at Ambala.

2. Briefly stating, the marriage between the applicant and respondent was solemnized on 21.04.2014; out of the wedlock, one girl child namely, Nitiya was born; on account of matrimonial discord between the parties, the above mentioned petition under Section 13 of the 1955 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 has also filed the following four cases before the Id. Family Court, Ambala:-

- (i) petition bearing HMA/932/2022 dated 20.09.2022, under Section 9 of the 1955 Act;
- (ii) petition bearing MNT/125/240/2022 dated 17.08.2022, under Section 125 Cr.P.C. for grant of maintenance;
- (iii) Complaint bearing DV Act/146/2022 dated 17.08.2022, under Protection of Women from Domestic Violence Act, 2005.
- (iv) Complaint bearing No. CHI/1128/2023 arising out of FIR No.574 of 2022, under Sections 323, 406, 498-A and 506 IPC.

Accordingly, a prayer is made for transfer of the petition under Section 13 of the 1955 Act, filed at the instance of respondent-husband from Family Court, Hissar to Family Court, Ambala.

4. On the other hand, learned counsel for the respondent vehemently opposes the prayer made in the present application.

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 aforementioned four cases, which are pending adjudication before the competent Court of jurisdiction at Ambala.

7. As per the averments made in the present transfer application, the applicant-wife is residing at her parental house in Ambala along with her daughter.

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 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.”

9. Considering the aforesaid facts and circumstances, in the humble opinion of this Court, since four cases bearing HMA/932/2022 dated 20.09.2022, under Section 9 of the 1955 Act, petition bearing MNT/125/240/2022 dated 17.08.2022, under Section 125 Cr.P.C. for grant of maintenance and complaint bearing DV Act/146/2022 dated 17.08.2022, under Protection of Women from Domestic Violence Act, 2005 and a complaint bearing No. CHI/1128/2023 arising out of FIR No.574 of 2022, are pending adjudication at Ambala, 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 bearing DMC/1019/2022, under Section 13 of the 1955 Act, titled “**Nitin Mukesh vs. Priyanka Vashisht**”, filed by the respondent-husband, stands transferred from the Family Court, Hissar, to the Family Court of competent jurisdiction at Ambala. The requisite record of the aforesaid case be sent by the Family Court, Hissar to the Court concerned.

10. Learned counsel for the respondent has prayed for expeditious conclusion of the trial. However, without issuing any specific direction in that regard, this Court is sanguine that the learned Trial Court shall make every endeavor to proceed with the matter and conclude the trial as

expeditiously as practicable, keeping in view the nature of the proceedings, the stage of the case, and the pendency of other matters before it, in accordance with law.

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

14.07.2026
sonika

(HARKESH MANUJA)
JUDGE

(i) Whether speaking/reasoned: Yes/No (ii) Whether reportable: Yes/ No