



TA-70-2024 (O&M)

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

Sr. No.115

TA-70-2024 (O&M)
Date of Decision: 04.09.2025

BHARTI THAKUR**....Applicant****Versus****PANKAJ RANA****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Arun Sharma, Advocate
for the applicant.

Mr. Sahil Vashisht, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/120/2023, titled '*Pankaj Rana Vs. Bharti Thakur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Mukerian, District Hoshiarpur and she seeks transfer of the same to the Court of competent jurisdiction at Jalandhar.

In pursuance of notice issued, the respondent made appearance through counsel and filed reply.

Counsel for the parties heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 18.02.2022. One daughter born from the said wedlock, is in the care and custody of the applicant. The applicant herself is not having any source of earning and as such, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts



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at Jalandhar and the respondent is making appearance in the same. In the given circumstances, it is submitted that it is difficult for the applicant, to defend the petition under Section 9 of the Hindu Marriage Act, more particularly, while taking care of the minor daughter. The distance between the two places is state to be about 72 kilometres.

On the other hand, counsel for the respondent resisted the claim for transfer of the case. In fact, he submits that the applicant is an educated lady. She knows driving and she can very well contest the litigation, while it remains pending at Mukerian.

In view of the rival submissions aforesaid, it is pertinent to mention that generally, the Courts lean towards the convenience of wife, while considering the transfer application relating to the matrimonial dispute. In the case in hand, apart from the distance between the two places to be 72 kilometres, it is significant to note that the daughter born from the wedlock of the parties, is in the care and custody of the applicant, who herself is not having any source of earning. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Jalandhar and the respondent is pursuing the same.

On query by this Court, it is submitted by the counsel for the respondent that though, some maintenance has been paid to the applicant by the respondent, but however, he is unable to stated about the extent of amount, so paid.

Considering the aforesaid circumstances, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/120/2023, titled '*Pankaj Rana Vs. Bharti Thakur*', filed by the respondent-husband, stands transferred from the Family Court



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(Camp Court) Mukerian, District Hoshiarpur, to the Court of competent jurisdiction at Jalandhar. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Mukerian, to the District and Sessions Judge, Jalandhar.

Learned District and Sessions Judge, Jalandhar, shall assign the said petition to the Family Court, Jalandhar. Even, the parties are directed to appear before the Family Court, Jalandhar, within a period of one month from today onwards.

04.09.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No