

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

Sr. No.234

**TA-100-2025
Date of Decision: 27.08.2025**

SONAM

....Applicant

Versus

BITTU

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Deepak Kundu, Advocate
for the applicant.

Mr. Rupender Singh, Advocate
for the respondent.

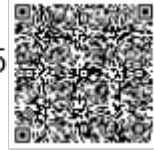
ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/438/2024, titled '*Bittu v/s Sonam*', filed by the respondent-husband, pending in the Family Court, Hisar and she seeks transfer of the same to Family Court (Camp Court), Meham, District Rohtak.

Upon notice, the respondent made appearance through counsel and filed the reply.

Counsel for the parties heard.

At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 27.02.2020, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning. She has filed petition under Section 125

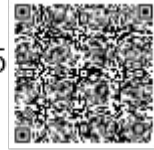


Cr.P.c., as well as petition under Section 12 of Protection of Women from Domestic Violence Act, which are pending in the courts at Meham, District Rohtak and respondent is pursuing both the aforesaid cases. Besides the same, the respondent is facing trial in the court of CJM, Meham, relating to FIR No.424 dated 17.10.2024 under Section 323, 406, 498-A, 506 and 34 IPC, which was got lodged at the instance of the applicant. The distance between the two places is stated to be 70 kms.

On the other hand, counsel for the respondent, while making reference to the reply, in the form of affidavit, submits that the entire litigation, as stated aforesaid, was initiated by the applicant after filing of the divorce petition by the respondent. Also, it is submitted that it shall be too harsh for him also, to defend the transfer application, if so transferred, as he has to look after the other family members.

In view of the rival submissions aforesaid, it is pertinent to mention that generally the courts lean towards the convenience of the wife, while considering the transfer applications, relating to the matrimonial disputes, but however, the same is not a thumb rule. Various other circumstances spelt out from the material brought on record, ought to be taken into consideration. In the case in hand, the applicant is not having any source of earning and is dependant upon her parental family and also three other litigation arising from this matrimonial dispute, already pending in the courts at Meham. Even, the distance between the two places is stated to be 70 kms.

Considering the aforesaid fact situation, more particularly, when the other litigation arising from the matrimonial dispute, is being pursued by the respondent, the transfer application is allowed and the



petition under Section 13 of the Hindu Marriage Act i.e. DMC/438/2024, titled '*Bittu v/s Sonam*', filed by the respondent-husband, stands transferred from the Family Court, Hisar, to Family Court (Camp Court), Meham, District Rohtak. The requisite record of the aforesaid case be sent by the Family Court, Hisar, to the District and Sessions Judge, Rohtak.

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

27.08.2025

Sonu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No