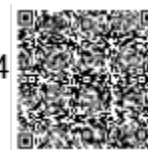


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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.202

TA-121-2025

Date of Decision: 14.11.2025

KAMNA SEKHRI

....Applicant

Versus

MUNISH SEKHRI

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Amriot Paul Nahar, Advocate for
Mr. Munish Puri, Advocate
for the applicant.

Mr. Varun Sharma, Advocate
for the respondent.

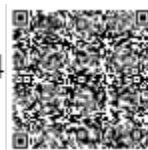
ARCHANA PURI, J. (Oral)

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/1744/2024, titled '*Munish Sekhri Vs. Kamna Sekhri*', filed by the respondent-husband, pending in the Family Court, Jalandhar and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.

In pursuance of notice issued, the respondent made appearance through counsel and filed 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 26.11.1996. Two children were born from the said wedlock, one son and one daughter, who are now major. They are unemployed and are living with the applicant. However, on account of the matrimonial dispute, the parties



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are residing separate since May, 2024. The applicant is not working and as such, has no source of earning. Also, it is submitted that though, the respondent had retired from his job in private firm, but however, he has the financial means to support the applicant. On account of this matrimonial dispute, the applicant has filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and the petition under the Protection of Women from Domestic Violence Act, while availing free legal aid and the same are pending in the Courts at Amritsar. The respondent is making appearance in both the said petitions. The distance between the two places is stated to be about 82 kms.

On the other hand, counsel for the respondent, while making reference to the reply, submits that the applicant has concealed the material facts and on account of this conduct of the applicant, she is not entitled for seeking transfer of the divorce petition. In fact, it is pointed out that the applicant, together with her family members, had come to the house of the respondent and subjected him to beatings on 08.11.2024. In this regard, counsel makes reference to the copy of MLR, copy whereof is Annexure R-1. Also, the counsel submits that he had filed a complaint before the police authorities, but no action has been taken upon the same, till date. Furthermore, counsel submits that the respondent has also filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for seeking maintenance from both his children.

In view of the submissions aforesaid, it is pertinent to mention that while adjudicating on the transfer application, relating to the matrimonial dispute, the Court has to take into consideration the various aspects. Each case has to be decided in its own factual background and one



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distinctive circumstance can change the decision of the transfer application. In the case in hand, two children born from the wedlock of the parties, who are allegedly major, are residing with the applicant, who herself has no source of earning. The children are asserted to be unemployed. The applicant has filed two cases i.e. the maintenance petition, as well as the petition under the Protection of Women from Domestic Violence Act, which are pending in the Courts at Amritsar. These cases were filed by the applicant, while availing free legal aid and the respondent is making appearance in the same. Even though, counsel for the respondent has stated that the applicant and her family members had subjected the respondent to beatings, after entering his house and has relied upon the MLR, copy whereof is Annexure R-1, but however, there is no material coming on record, with regard to initiation of action against them, after the alleged incident. In fact, the counsel submits the respondent had filed the complaint, but the copy of the same has not been brought on record. Furthermore, he has submitted that no action was taken upon the said complaint.

On query by this Court, the counsel for the respondent has submitted that till date, the respondent has not filed any application, thereby bringing it to the notice of the higher authorities, either in the Court, or the police authorities, that no action has been taken on his complaint. In the given circumstances, the assertion so made, with regard to subjecting of the respondent to beatings, is quite vague.

Considering the convenience of the wife, being given the preference in the transfer applications, more particularly, when the applicant herself is not having any source of earning and also taking into consideration the fact of two cases already pending in the Courts at Amritsar, wherein the



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respondent is already making appearance, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/1744/2024, titled '*Munish Sekhri Vs. Kamna Sekhri*', filed by the respondent-husband, stands transferred from the Family Court, Jalandhar, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court, Jalandhar, to the District and Sessions Judge, Amritsar.

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

14.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No