

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

Sr. No.207**TA-123-2025****Date of Decision: 28.08.2025****ASHIMA GROVER****....Applicant****Versus****NIKHIL MANCHANDA****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. G.S.Minhas, Advocate
for the applicant.
(Through video conferencing).

Mr. Naren Pratap Singh, Advocate
for the respondent
(Through video conferencing).

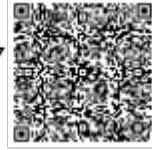
ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/13280/2024, titled '*Nikhil Manchanda v/s Ashima Manchanda*', filed by the respondent-husband, pending in the Family Court, Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Jalandhar.

Upon notice, the respondent has made appearance through counsel and submits that he does not intend to file reply, though he contest the same.

Counsel for the parties heard.

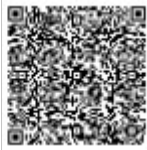
At the very outset, it is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on



01.04.2018 and one son born from the wedlock of the parties, who is about 6 years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and is dependant upon her parental family. On account of the matrimonial, the applicant had got lodged one FIR No.82 dated 14.09.2022 under Section 406 and 498-A IPC, in which challan has been presented, which is pending in the courts at Jalandhar and the respondent is making appearance in the same. Besides the same, the applicant has filed one complaint under Section 12 of Protection of Women from Domestic Violence Act, which is being pursued by the respondent. In the given circumstances, a prayer has been made for acceptance of the transfer application.

On the other hand, counsel for the respondent submits that it shall be too harsh for the respondent also, if the transfer application is accepted.

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. However, besides the same, various other circumstances spelt out from the material brought on record, ought to be taken into consideration. In the case in hand, the child is about 6 years old and is in the care and custody of the applicant, who herself is not having any source of earning. Moreover, the respondent is already pursuing the two other litigation, pending in the courts at Jalandhar. In the given circumstances, it is just and expedient to allow the transfer application. As such, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e.



HMA/13280/2024, titled '*Nikhil Manchanda v/s Ashima Manchanda*', filed by the respondent-husband, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Jalandhar. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, 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.

28.08.2025
Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No