



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

Sr. No.211

TA-184-2025

Date of Decision: 24.09.2025

SAMRITI CHOPRA

....Applicant

Versus

VISHNU CHOPRA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Anmoldeep Singh, Advocate
for the applicant.

Mr. Subhash Ahuja, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-mother has filed the present application for seeking transfer of the petition under Section 25 of the Guardians and Wards Act i.e. GW/81/2024, titled '*Vishnu Chopra Vs. Samriti Chopra*', filed by the respondent-father (husband of the applicant), pending in the Family Court, Amritsar and she seeks transfer of the same to the Court of competent jurisdiction at Kharar, District SAS Nagar.

Upon 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 03.12.2018. One son born from the said wedlock, 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 has filed the divorce



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petition, which is pending in the Courts at Kharar and the respondent is making appearance in the same. Furthermore, it is submitted that the applicant had filed a complaint before SHO, Kharar City, but however, there is no update about the said complaint, with the applicant. Also, it is submitted that at the time of filing of the present application, the applicant was working as a 'Computer Operator', but however, she had since left the said job. Considering the same, it is submitted that while taking care of the subject child, it is difficult for the applicant to defend the guardianship petition, which is pending at Amritsar.

On the other hand, counsel for the respondent, while making reference to the reply, in the form of an affidavit of the respondent, submits that in case of transfer of the guardian petition, it shall be too harsh for the respondent also, to pursue the litigation.

In view of the submissions aforesaid, it is pertinent to mention that time and again, Courts give priority to watch the interest of the minor child and to adjudicate about the convenience of the parent, who has the custody of the child. Of course, there are various circumstances, apart from watching the interest of the child, which ought to be taken into consideration, but however, this is the most weighing factor. In the case in hand, the applicant is having the custody of the child. Though, she was earlier working as a 'Computer Operator', but however, at present she is stated by the counsel for the applicant, to have left her job and now is unemployed.

In view of the aforesaid fact situation, more particularly, watching the best interest of the child and also taking into consideration the fact of the divorce petition already pending in the Courts at Kharar, wherein



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the respondent is already making appearance, the transfer application is allowed and the petition under Section 25 of the Guardians and Wards Act i.e. GW/81/2024, titled '*Vishnu Chopra Vs. Samriti Chopra*', filed by the respondent-father (husband of the applicant), stands transferred from the Family Court, Amritsar, to the Court of competent jurisdiction at Kharar, District SAS Nagar. The requisite record of the aforesaid case be sent by the Family Court, Amritsar, to the District and Sessions Judge, SAS Nagar.

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

24.09.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No