

TA-201-2025 (O&M)

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

Sr. No.208

**TA-201-2025 (O&M)
Date of Decision: 25.08.2025**

VARSHA

....Applicant

Versus

HARENDER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

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

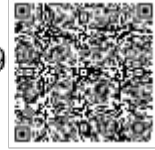
Mr. Tejeshwar Singh, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

At this stage, the counsel for the respondent submits that he does not intend to file reply to the transfer application, though he contests the same.

Counsel for the parties heard.

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/39/2025, titled '*Harender Singh Vs. Varsha*', filed by the respondent-husband, pending in the Family Court, Panipat and she seeks transfer of the



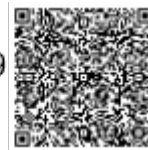
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same to the Court of competent jurisdiction at Gohana, District Sonapat.

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 08.03.2019, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. The applicant has no source of earning and as such, is dependent upon her parental family. The applicant had filed the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. COMA/4/2023, which is pending in the Courts at Gohana and the respondent is making appearance in the same. Besides the same, the respondent is facing trial in the Courts at Gohana, relating to FIR bearing No.56 dated 02.03.2023, under Sections 323, 406 and 498-A IPC, got lodged by the applicant at Police Station Sadar Gohana, District Sonapat.

Furthermore, it is submitted that the respondent is a resident of village Israna, District Panipat, which is at a distance of about 25 kilometres from Gohana and at a distance of about 21 kilometres from Panipat. Therefore, considering the distance, it shall be convenient for the respondent also, in case the divorce petition is transferred.

On the other hand, the counsel for the respondent submits that the respondent is ready to make payment of litigation expenses, as well as transport charges (if any), if the applicant comes to Panipat, to pursue the pending divorce petition. Also, it is submitted that the respondent is working in Delhi and it shall be inconvenient for him also, if the transfer application is accepted.

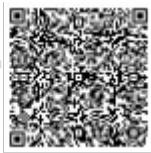


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In view of the rival submissions aforesaid, it is pertinent to mention that apart from the assertions made, various other circumstances, spelt out from the material brought on record, also ought to be taken into consideration, while considering the transfer application relating to the matrimonial dispute and thereupon, balance of convenience/inconvenience of both the sides is to be made. In the case in hand, two cases i.e. petition under the Protection of Women from Domestic Violence Act, as well as the criminal case, arising from the matrimonial dispute, are already pending in the Courts at Gohana. In the criminal trial, the respondent is required to make appearance, on each and every date of hearing. Considering the same and also considering the distance between Gohana, Israna and Panipat, as stated aforesaid, it shall not be difficult for the respondent also, to pursue the third case, if so transferred to Gohana, more particularly, when the counsel for the respondent has stated about the respondent to be working at Delhi, which shall cut-short his journey by few kilometres.

In view of the aforesaid fact situation, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/39/2025, titled '*Harender Singh Vs. Varsha*', filed by the respondent-husband, stands transferred from the Family Court, Panipat, to the Court of competent jurisdiction at Gohana, District Sonapat. The requisite record of the aforesaid case be sent by the Family Court, Panipat, to the District and Sessions Judge, Sonapat.

Learned District and Sessions Judge, Sonapat, shall assign the said petition to the Court at Gohana, where the petition under the Protection of Women from Domestic Violence Act, between the parties to the lis is



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pending. Even, the parties are directed to appear before the concerned Court, within a period of one month from today onwards.

The Court concerned shall make an endeavour to adjourn the cases, preferably for one and the same date.

Pending civil miscellaneous application also stands disposed of.

25.08.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No