



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

Sr. No.202**TA-216-2025****Date of Decision: 18.11.2025****NAVETA BAJAJ****....Applicant****Versus****ARUN BAJAJ****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Rahul Sangwan and Mr. Manav Tyagi, Advocates
for the applicant.

Mr. Shrome Garg and Mr. Rahul Aggarwal, Advocates
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/1416/2024, titled '*Arun Bajaj v/s Naveta Bajaj*', filed by the respondent-husband, pending in the Family Court, Amritsar and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

In pursuance of notice issued, 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, had taken place on 18.02.2011. One son born from the said wedlock is in the custody of the applicant, who is studying in the school at Ludhiana. However, on account



of the matrimonial dispute, the parties are residing separate. Also, it is submitted that the applicant is not having any source of earning. She has filed petition under Section 144 of Bharatiya Nagarik Surksha Sanhita as well as petition under Section 12 of Protection of Women from Domestic Violence Act, which are pending in the courts at Ludhiana and the respondent is making appearance in both the said cases. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 150 kms, to defend the petition under Section 9 of Hindu Marriage Act.

On the other hand, counsel for the respondent submits that it was solely on account of the bad conduct of the applicant, the dispute arose between the parties. Rather, it is submitted that in the eventuality of the transfer application, being accepted, it shall also be difficult for the respondent also, to pursue the petition under Section 9 of Hindu Marriage Act, as he is to take care of his aged mother.

In view of the submissions aforesaid, it is pertinent to mention that generally, the courts lean towards the convenience of the wife, while adjudicating the transfer application, relating to the matrimonial dispute, but however, the same is not a thumb rule. Various other circumstances, coming forth also ought to be taken into consideration.

In the case in hand, the applicant is not having any source of earning. Even, the teenage son is in the custody of the applicant, who is studying in the school at Ludhiana. The other two litigation between the parties, arising from the matrimonial dispute, are already pending in the



courts at Ludhiana and the respondent is making appearance in the aforesaid cases.

Considering all the aforesaid circumstances, it is just and expedient to accept the transfer application. Hence, the same is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/1416/2024, titled ‘*Arun Bajaj v/s Naveta Bajaj*’, filed by the respondent-husband, stands transferred from the Family Court, Amritsar, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Amritsar, to the District and Sessions Judge, Ludhiana.

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

18.11.2025
Sonu Saini

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No