



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

Sr. No.113

**TA-403-2024 (O&M)
Date of Decision: 07.05.2025**

AMANDEEP KAUR

....Applicant

Versus

BALJEET SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Applicant-in-person, along with
Mr. Rohit Kumar, Advocate.

Respondent-in-person, along with
Dr. Payel Mehta, Advocate.

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/258/2023 titled “*Baljit Singh v/s Amandeep Kaur*”, filed by the respondent/husband, which is pending in the courts at SAS Nagar and she seeks transfer of the same to the court of competent jurisdiction at Yamunanagar.

Upon notice, the respondent has 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 was solemnized on 04.10.2022, but no child was born from the said wedlock. However, on account of matrimonial dispute, the parties are residing separate. The



applicant has got lodged an FIR NO.238 dated 29.10.2023 under Section 323, 406, 498-A, 506 IPC. Even, complaint under Section 12, 18, 19, 20, 22 of the Protection of Women from Domestic Violence Act as well as petition under Section 125 Cr.P.C. have been filed, which are pending in the courts at Yamunanagar and the respondent is making appearance in all the three cases. It is further submitted that the applicant is unemployed and as such, has no source of income. The distance between the two places is stated to be 110 kms. As such, it is difficult for the applicant to commute such distance, to defend the divorce petition.

On the other hand, counsel for the respondent while making reference to the reply, submits that the applicant is self sufficient lady, as she graduated in B.Sc. Fashion Technology and B.Ed. As such, she should not be facing any difficulty in defending the aforesaid litigation.

In view of the submissions made aforesaid by the counsel for the respondent, on query put to the applicant, who is present before the court today, she has admitted that she is graduate in B.Sc. Fashion Technology and B.Ed. She appear to be pretty confident, but however, she submits that on account of certain health issues, it is difficult for her to commute the distance of about 110 kms, to defend the aforesaid litigation.

In view of the submissions made aforesaid, it is pertinent to mention that the applicant had herself stated about having some health issues, but the same has not been specified in the application. No medical record, as such, has also been placed on record. Thus, the version of applicant having ill health, as such, is not evident. She is confident lady, who is well educated. In the given circumstances, solely on account of her being woman, as such, cannot be given benefit of transfer of the aforesaid litigation, more particularly, when it is the civil litigation.



As such, the present application is hereby dismissed.

However, the applicant always has the option to make appearance through virtual mode, by way of filing of an application before the court concerned and the court concerned shall pass an appropriate order on the same, thereby considering the requirement of presence, in person.

07.05.2025
Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No