

TA-437-2024

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2025:PHHC:148161



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

**Sr. No.103**

**TA-437-2024**

**Date of Decision: 29.10.2025**

**VEERPAL KAUR**

**....Applicant**

**Versus**

**GURCHARAN SINGH**

**.....Respondent**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Lupil Gupta, Advocate  
for the applicant.

Mr. S.S. Dhillon, Advocate  
for the respondent.

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**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/66/2022, titled '*Gurcharan Singh Vs. Veerpal Kaur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Gidderbaha, District Sri Muktsar Sahib and she seeks transfer of the same to the Court of competent jurisdiction at Abohar, District Fazilka.

In pursuance of 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 13.04.2012. Two children born from the said wedlock, are in the care and custody of the applicant. However, on account of the matrimonial dispute, the parties are residing separate. The applicant together with the children, is



residing at her parental place. She is not having any source of earning. Even, she had filed the petition under Section 125 Cr.P.C., for seeking maintenance for herself, as well as both the children, which has since been allowed by the Courts at Abohar. The distance between the two places is 50 kilometres.

On the other hand, counsel for the respondent submits that the respondent has an intention to rehabilitate the applicant and on this account, he had filed the petition under Section 9 of the Hindu Marriage Act.

In view of the submissions aforesaid, it is pertinent to mention that, with regard to statement made by the counsel for the respondent, a query was put to the counsel for the applicant with regard to any inclination on the part of the applicant, for amicable settlement. However, counsel for the applicant has submitted that efforts have been made time and again, but the same did not fructify. It is only an excuse made, at the behest of the respondent, for amicable settlement. As such, the applicant is not inclined for any amicable settlement, at this stage.

In view of the submissions aforesaid, it is pertinent to mention that anytime, when the Court considers the transfer application relating to the matrimonial dispute, preference is given to the convenience of the wife, though it may not be a thumb rule. Various other circumstances, spelt out from the pleadings of the parties, ought to be taken into consideration. In the case in hand, there are two children; one son and one daughter, born from the wedlock of the parties, who are in the care and custody of the applicant, who herself is not having any source of earning.

In view of the aforesaid fact situation and watching the 'best interest' of the children, it is just and expedient to accept the application.



TA-437-2024

Hence, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/66/2022, titled '*Gurcharan Singh Vs. Veerpal Kaur*', filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Gidderbaha, District Sri Muktsar Sahib, to the Court of competent jurisdiction at Abohar, District Fazilka. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Gidderbaha, to the District and Sessions Judge, Fazilka.

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

**29.10.2025**  
Himanshu Vats

**(ARCHANA PURI)**  
**JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No