



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

Sr. No.247

TA-464-2025

Date of Decision: 04.12.2025

TARNEET KAUR

....Applicant

Versus

HARPREET SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Navdeep Nain, Advocate for
Mr. S.K. Singla, Advocate
for the applicant.

Mr. Gagandeep Kumar Tiwari, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

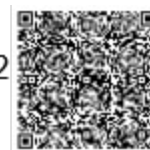
The applicant-wife has filed the present application for seeking transfer of the petition under Section 12 of the Hindu Marriage Act, titled '*Harpreet Singh Vs. Tarneet Kaur*', filed by the respondent-husband, pending in the Family Court, Kurukshetra and she seeks transfer of the same to the Court of competent jurisdiction at Malkerkotla.

Upon notice issued, the respondent made appearance through counsel and filed reply.

Counsel for the parties heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 19.11.2023. After one month of the marriage, the applicant was turned out of the matrimonial house by the respondent. It is also submitted that the applicant is not having

any source of earning. The distance between the two places is about 180



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kms. and as such, it is difficult for the applicant, to defend the petition under Section 12 of the Hindu Marriage Act.

On the other hand, counsel for the respondent, while making reference to the reply filed, submits that the respondent is a permanent government school teacher and is presently posted in government school under Directorate of Education, Government of NCT, Delhi. As such, considering his place of posting, it shall be difficult for the respondent also, to pursue the petition under Section 12 of the Hindu Marriage Act, if so transferred to Malerkotla.

In view of the submissions aforesaid, convenience/inconvenience of both the parties ought to be taken into consideration and then balancing is required to be done, while adjudicating on the transfer application relating to the matrimonial dispute. In the case in hand, the applicant is not having any source of earning. Even, the distance between the two places is about 180 kms. No doubt, as submitted that the respondent is posted in NCT, Delhi, but however, he is a government teacher and as such, he is better placed, as compared to the applicant, who is not having any source of earning.

In view of the aforesaid fact situation, the transfer application is allowed and the petition under Section 12 of the Hindu Marriage Act, titled '*Harpreet Singh Vs. Tarneet Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Kurukshetra, to the Court of competent jurisdiction at Malerkotla. The requisite record of the aforesaid case be sent by the Family Court, Kurukshetra, to the District and Sessions Judge, Malerkotla.



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

However, considering the interest of the respondent also, who is posted in Delhi, he always has an option to file an application for making appearance before the Court concerned, as and when required, through virtual mode. Upon filing of such application, the Court concerned shall consider the same and pass an appropriate order, in the fitness of circumstances.

04.12.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No