



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

Sr. No.226

TA-528-2024

Date of Decision: 19.02.2025

POOJA**....Applicant****Versus****DOLLAR GOYAL****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Vivek Singla, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/66/2024, titled '*Dollar Goyal Vs. Pooja*', filed by the respondent-husband, pending in the Family Court, Sangrur and she seeks transfer of the same to the Court of competent jurisdiction at Barnala.

As observed in the last order, none had made appearance on behalf of the respondent, despite service having effected. Even today, none has made appearance on his behalf. As such, the respondent is proceeded against *ex parte*.

Learned counsel for the applicant heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 14.12.2022. One son born from the said wedlock, is in the care and custody of the applicant. Also, it is submitted on account of the matrimonial discord, the applicant has filed the



petition under Section 12 of the Protection of Women from Domestic Violence Act and the petition under Section 125 Cr.P.C., which are pending in the Courts at Barnala. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 40 kilometres, from Barnala to Sangrur, to defend the divorce petition.

In view of the submissions aforesaid, it is pertinent to mention that even though, time and again, it is observed by the Courts that preference ought to be given to the convenience of wife, in the transfer applications relating to the matrimonial dispute. However, it is not a thumb rule. Various other circumstances, spelt out from the material coming on record, also ought to be taken into consideration. The distance between Sangrur and Barnala is about 40 kilometres only and it is having a well-connected mode of transport, which shall not be causing much inconvenience to the applicant, to reach the Courts at Sangrur. Solely, on account of seeking convenience, the transfer application should not be allowed, while keeping in view the extent of distance between the two places.

Hence, the transfer application is hereby dismissed.

19.02.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No