

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

Sr. No.105

**TA-660-2024 (O&M)
Date of Decision: 17.10.2025**

AKASHDEEP KAUR

....Applicant

Versus

RAVINDER SINGH BRAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Arpan Sabharwal, Advocate
for the applicant.

Mr. Jashandeep Sidhu, Advocate
for the respondent.

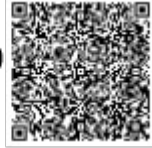
ARCHANA PURI, J. (Oral)

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/29/2024, titled '*Ravinder Singh Brar v/s Akashdeep Kaur*', filed by the respondent-husband, pending in the Family Court, Sri Muktsar Sahib and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

Upon notice, 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 to the lis, had taken place on 09.02.2020. One son born from the said wedlock, who is about 2 years old, is in the care and custody of the applicant. However, on account of the



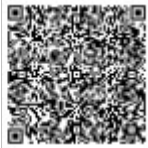
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matrimonial dispute, the parties are residing separate. The applicant is working on adhoc basis, at Science College, Jagraon, to meet with her personal expenses. Also, it is submitted that while taking care of the minor child, it is difficult for her to commute a distance of about 150 kms, to defend the petition under Section 9 of Hindu Marriage Act. Moreover, it is submitted that after filing of the transfer application, she has also filed petition under Section 125 Cr.P.C., which is pending in the courts at Ludhiana.

On the other hand, counsel for the respondent, while making reference to the reply submits that the applicant is well educated lady and she is already working at Science College, Jagraon and therefore, she can very well take care of the litigation, even if remains pending at Sri Muktsar Sahib. He further submits that she can very well appear through virtual mode.

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, there is one child born from the wedlock of the parties to the lis, who is about 2 years old, residing with the applicant, at her parental place, which is at a distance of about 20 kms from her work place, whereas the petition under Section 9 of Hindu Marriage Act, filed at the instance of the respondent, is pending at a distance of about 150 kms. As such, while taking care of the job as well as taking care of the child, it is certainly difficult for the applicant to pursue the litigation, initiated at the



instance of the respondent. She has also filed petition under Section 125 Cr.P.C., which is pending in the courts at Ludhiana.

In view of the aforesaid fact situation, more particularly, taking into consideration the fact of the minor child, being in the care and custody of the applicant, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/29/2024, titled '*Ravinder Singh Brar v/s Akashdeep Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Sri Muktsar Sahib, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Sri Muktsar Sahib, 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.

17.10.2025
Sonu Saini

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No