



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

Sr. No.113 (2 cases)

Date of Decision: 12.11.2025

1.

TA-590-2025

CHANCHALPREET KAUR

....Applicant

Versus

GEETINDER SINGH BAWA

.....Respondent

2.

TA-597-2025

CHANCHALPREET KAUR

....Applicant

Versus

GEETINDER SINGH BAWA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Veneet Sharma, Advocate
for the applicant (in both the cases).

Ms. Harkirat Kaur, Advocate
for the respondent (in both the cases).

ARCHANA PURI, J. (Oral)

These are two applications, filed by Chanchalpreet Kaur-
applicant, for seeking transfer of the litigation pending between the parties.



TA-590-2025 has been filed for seeking transfer of the petition under Section 25 of the Guardians and Wards Act i.e. GW/13/2025, titled '*Geetinder Singh Bawa Vs. Chanchalpreet Kaur*', filed by the respondent, thereby seeking custody of the daughter, born from the wedlock of the parties.

TA-597-2025 has been filed for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/250/2025, titled '*Geetinder Singh Bawa Vs. Chanchalpreet Kaur*', filed at the instance of respondent-husband.

Both the aforesaid cases are pending in the Courts at Ludhiana and the applicant is seeking transfer of the same to the Court of competent jurisdiction at Amritsar.

In pursuance of the notice issued, respondent made appearance through counsel and filed replies in the respective applications.

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 09.04.2021. One daughter born from the said wedlock, who is about 3½ years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate and they are indulging in various rounds of litigation. The applicant herself is not having any source of earning and is dependent upon her parental family. Even, she has filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which is pending in the Courts at Amritsar and the respondent is making appearance in the same. Besides the same, the applicant had also filed the petition under Section 12 of the Protection of



Women from Domestic Violence Act, which is also pending in the Courts at Amritsar, at appearance stage. The distance between the two places is stated to be about 145 kms. Also, it is submitted that on account of taking care of the child, it is difficult for the applicant, to defend the petition under Section 9 of the Hindu Marriage Act, as well as the guardianship petition, pending in the Courts at Ludhiana.

On the other hand, counsel for the respondent resisted the claim for acceptance of the transfer applications. Counsel for the respondent submits that the distance between the two places is only 145 kms. and both the places are having a well-connected mode of communication. In the given circumstances, a prayer has been made for dismissal of the transfer applications.

Generally, while considering the transfer application relating to the matrimonial dispute, the Courts lean towards convenience of the wife, though it may not be a thumb rule. Various other circumstances, spelt out from the material brought on record, ought to be taken into consideration. In the case in hand, there is one female child born from the wedlock of the parties, who is in the care and custody of the applicant, who herself is not having any source of earning. She together with the daughter, is dependent upon her parental family. Also, the two cases arising from this estranged marriage, are pending in the Courts at Amritsar and the respondent has made appearance in one of them and the other is at the stage of appearance.

In view of the aforesaid fact situation and taking into consideration the tender age of the child, who shall be starting her schooling very soon and watching her 'best interest' and also considering the fact about the applicant having no source of earning, more particularly,



considering the two cases, arising from the matrimonial dispute, already pending in the Courts at Amritsar, both the transfer applications i.e. TA-590-2025 and TA-597-2025 are hereby allowed and the petition under Section 25 of the Guardians and Wards Act i.e. GW/13/2025, titled '*Geetinder Singh Bawa Vs. Chanchalpreet Kaur*', as well as the petition under Section 9 of the Hindu Marriage Act i.e. HMA/250/2025, titled '*Geetinder Singh Bawa Vs. Chanchalpreet Kaur*', stand transferred from the Family Court, Ludhiana to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, to the District and Sessions Judge, Amritsar.

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

12.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No