



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

**204**

**TA-780-2025 (O&M)**

**Date of Decision: December 01, 2025**

Pooja @ Puja Sharma

...Applicant

Versus

Sandeep

...Respondent

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

Present: Mr.Vinay Pandey, Advocate  
for the applicant (through video conferencing)

Mr.Gulshan Nandwani, Advocate  
for the respondent.

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**ARCHANA PURI, J.**

Applicant-wife has filed the present application for seeking transfer of the petition under Section 13 (1) (ia) (ib) of the Hindu Marriage Act, filed by respondent-husband, bearing No.HMA-272-2025, titled 'Sandeep vs. Pooja', pending in the Family Court, Gurugram and she seeks transfer of the same to the Court of competent jurisdiction at Rewari.

In pursuance of the notice issued, respondent made appearance through counsel and filed reply.

Learned counsel for the parties heard.

At the very outset, it is submitted by learned counsel for the applicant that marriage between the parties to the lis, had taken place on

16.02.2020 and one girl child born from the said wedlock, is in the care and custody of the applicant. On account of matrimonial dispute, the parties are residing separate. The applicant has also filed petition under Section 12, 18, 19, 20, 21 and 22 of the Protection of Women from Domestic Violence Act as well as Section 125 Cr.P.C., which are pending in the Courts at Rewari and the same are being pursued by the respondent. The respondent is also facing criminal trial, relating FIR No.67 of 2022, under Sections 34, 354-A, 406, 468A, 506 and 509 IPC and the same is also pending in the Courts at Rewari.

Besides the same, even the respondent has filed petition under Guardianship Act, for seeking custody of the minor child and the same is also pending in the Courts at Rewari. Further, it is submitted that applicant is working as Quality Engineer in a company located at Bawal. However, on account of taking care of the minor child, it is difficult for her to commute a distance of 58 kms. to defend the divorce petition.

On the other hand, learned counsel for the respondent, while making reference to the reply, though admits about the extent of distance, but he submits that it shall also be difficult for the respondent to pursue the litigation, in case the divorce petition is transferred.

In view of the 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. However, it is not a thumb rule and various other circumstances, spelt out, ought to be taken into consideration and the some balancing of convenience/inconvenience of both the sides, ought to be made.

In the case in hand, there is one daughter born from the estranged marriage, who is in the care and custody of the applicant. Much emphasis has been laid upon the applicant to be a working woman and therefore, it should not be difficult for her to cover a distance of 58 kms. to defend the litigation. However, the distance in itself is one aspect, which ought to be taken into consideration. The most relevant and weighing factor, to be considered in the case in hand, is the girl child, who is in the care and custody of the applicant. Besides the same, there are four other litigations, as detailed aforesaid, which are already pending in the Courts at Rewari.

Considering the interest of the child as well as considering the pending litigation already being pursued by the respondent in Rewari, the transfer application, is hereby allowed and the petition under Section 13 (1) (ia) (ib) of the Hindu Marriage Act, filed by respondent-husband, bearing No.HMA-272-2025, titled 'Sandeep vs. Pooja', stands transferred from the Family Court, Gurugram, to the Court of competent jurisdiction at Rewari. The requisite record of the aforesaid case be sent by the Family Court, Gurugram, to the District and Sessions Judge, Rewari.

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

**December 01, 2025**  
Vgulati

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

Whether speaking/reasoned  
Whether reportable

**Yes**  
**Yes/No**