



TA-897-2024

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

Sr. No.102

TA-897-2024

Date of Decision: 03.12.2025

PARAMJIT KAUR

....Applicant

Versus

JOGINDER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. S.K. Bakolia, Advocate
for the applicant.

Ms. Avneet Kaur, Advocate
for the respondent
(through video conferencing).

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/56/2024, titled '*Joginder Singh Vs. Paramjit Kaur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Nihal Singh Wala, District Moga and she seeks transfer of the same to the Court of competent jurisdiction at Faridkot.

In pursuance of notice issued, the respondent made appearance through counsel and filed 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 07.09.2014. Three daughters were born from the said wedlock, who are in the care and custody of the applicant. On account of the matrimonial dispute, the applicant together with her daughters, is residing at her parental place and is dependent upon her parents. She has no source of earning. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Faridkot and the respondent is making appearance in the same. The distance between the two places is stated to be about 75 kms.

On the other hand, counsel for the respondent submits that the respondent is working as a labourer and it shall be too harsh for him also, to pursue the litigation, if the transfer application is accepted.

In view of the submissions aforesaid, it is pertinent to mention that generally, the Courts lean towards convenience of the wife, while considering the transfer application relating to the matrimonial dispute. However, it is not 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, the most relevant factor is about three minor daughters born from the estranged marriage, to be residing with the applicant, who herself is not having any source of earning. There is another case arising from this matrimonial dispute i.e. the maintenance petition, which is already pending in the Courts at Faridkot and the respondent is pursuing the same.

In view of the aforesaid fact situation, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e.



TA-897-2024

HMA/56/2024, titled ‘*Joginder Singh Vs. Paramjit Kaur*’, filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Nihal Singh Wala, District Moga, to the Court of competent jurisdiction at Faridkot. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Nihal Singh Wala, to the District and Sessions Judge, Faridkot.

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

03.12.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No