

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

Sr. No.217

TA-854-2025

Date of Decision: 10.11.2025

REENA RANI**....Applicant****Versus****JAGDEEP RAM****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Kanwaljeet Singh, Advocate
for the applicant.

Mr. Sonu Giri, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

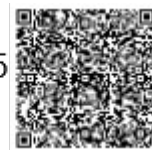
The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. DMC/54/2024, titled '*Jagdeep Ram Vs. Reena Rani*', filed by the respondent-husband, pending in the Family Court (Camp Court) Nabha, District Patiala and she seeks transfer of the same to the Court of competent jurisdiction at Khanna, District Ludhiana.

In pursuance of notice issued, the respondent made appearance through counsel. However, reply was not intended to be filed, even though, the counsel for the respondent contests the application.

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 29.01.2019. One son born from the said wedlock, who is about 4 years old,

is in the care and custody of the applicant. On account of the matrimonial



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dispute, the parties are residing separate. The applicant is not having any source of earning. She together with her minor son, 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 Khanna and the respondent is making appearance in the same. Besides the same, the respondent is facing trial in the Courts at Khanna, relating to FIR bearing No.76 dated 21.04.2024, under Sections 406 and 498-A IPC, got lodged by the applicant at Police Station City-II, Khanna. The distance between the two places is stated to be about 50 kms.

However, counsel for the respondent resists the claim for transfer, while asserting that the distance is only 35-40 kms., which is not a long distance, which causes inconvenience to the applicant, to pursue the petition under Section 9 of the Hindu Marriage Act, pending at Khanna.

In view of the submissions aforesaid, it is pertinent to mention that generally, the Courts given preference to the convenience of wife, while considering the transfer application relating to the matrimonial dispute. Even though, it may not be a thumb rule, but however, other circumstances also ought to be taken into consideration. In the case in hand, there is one son born from the estranged marriage and the applicant, who herself has no source of earning, is taking care of the said child. Besides the same, two other cases arising from the matrimonial dispute, are already pending in the Courts at Khanna, more particularly, the criminal case, wherein the respondent is required to make appearance on each and every date of hearing. Though, as alleged the distance between the two places may be 35-40 kms., but however, it is one of the factors to be considered. The most weighing factor is the child born from the wedlock of the parties, residing



with the applicant, who is not having any source of earning.

Considering the aforesaid mitigating circumstances and also considering the fact of the respondent already making appearance in the Courts at Khanna, in two cases arising from the matrimonial dispute, more particularly, the criminal case, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/54/2024, titled ‘Jagdeep Ram Vs. Reena Rani’, filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Nabha, District Patiala, to the Court of competent jurisdiction at Khanna, District Ludhiana. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Nabha, to the District and Sessions Judge, Ludhiana.

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

10.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No