



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

Sr. No.107

**TA-1087-2023
Date of Decision: 02.05.2025**

NAVTEJ GHUMAN

....Applicant

Versus

BRONIA WADHERA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Munish Puri, Advocate
for the applicant.

Mr. Jatinder Sharma, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant/wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/89/2023 titled “*Bronia v/s Navtej Ghuman*”, filed by the respondent/husband, which is pending in the courts at Derabassi and she seeks transfer of the same to the court of competent jurisdiction at Pathankot.

Upon notice, the respondent made appearance through counsel and filed the reply.

Counsel for the parties heard.

At the very outset, counsel for the applicant submits that both the applicant as well as respondent, are residents of Pathankot and only with the purpose of harrassing the applicant, the divorce petition has been filed at Derabassi, on the pretext that they lastly resided together, within the



jurisdiction of Derabassi. Also, it is submitted that the applicant has filed petition under Section 9 of Hindu Marriage Act, which is pending in the courts at Pathankot. However, it is submitted that the applicant is still residing at Pathankot and therefore, counsel makes a prayer for transfer of the divorce petition from Derabassi to the courts at Pathankot.

On the other hand, counsel for the respondent resisted the transfer of the divorce petition. In fact, it is submitted that the applicant is working within the jurisdiction of Derabassi for the last two years and therefore, it shall become very inconvenient for the respondent to pursue the divorce petition, if so transferred to Pathankot.

In view of the rival submissions, it is pertinent to mention that as per the divorce petition filed, both the applicant as well as respondent are the residents of Pathankot. Counsel for the respondent submits that the applicant is working within the jurisdiction of Derabassi and has also placed on record her affidavit, thereby stating about herself to be working at Regenta Almeida, Zirakpur and the letter of appointment, has also been annexed as Annexure R-1. As per the same, she reported on 23.02.2023. However, the fact of her doing job at Zirakpur, as such, has not been mentioned even in the reply to the transfer application. It was only at a later stage that this affidavit was filed. Otherwise also, in the said affidavit, no place of her residence, within the jurisdiction of Derabassi, as such, has been mentioned. Even, in the reply, the address mentioned is only of Pathankot.

In the given circumstances, when the applicant, till date has not disclosed her address, within the jurisdiction of Derabassi courts, it is evident that she is still resident of Pathankot. When both the parties are residing at Pathankot, it shall be convenient for the parties to pursue the divorce petition, if so transferred at Pathankot.



Keeping in view the aforesaid fact situation, the transfer application, as such, is hereby allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/89/2023 titled “*Bronia v/s Navtej Ghuman*”, filed by the respondent/husband, stands transferred from the Family Court, Derabassi to the Court of competent jurisdiction at Pathankot. The requisite record of the aforesaid case be sent by the Family Court, Derabassi, to the District and Sessions Judge, Pathankot.

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

02.05.2025

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**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No