



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

Sr. No.239

TA-909-2025 (O&M)

Date of Decision: 09.12.2025

POOJA @ POOJA RANI

....Applicant

Versus

MANDEEP SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Prince Goyal, Advocate
for the applicant.

Mr. Mohit Kakkar, 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/237/2025, titled '*Mandeep Singh v/s Pooja @ Pooja Rani*', filed by the respondent-husband, pending in Family Court, SAS Nagar and she seeks transfer of the same to Family Court (Camp Court), Talwandi Sabo, District Bathinda.

Upon 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, had taken place on 10.11.2024. The applicant was turned out of the matrimonial house in April,



2025, when she was under the family way. At the time of filing of the petition also, she was on the family way and subsequently, in the month of October, 2025, she has given a birth to baby boy, who is about 2 months old. She is not having any source of earning and is taking care of the minor child. The applicant has filed petition under Section 12 of Protection of Women from Domestic Violence Act, which is pending in the courts at Talwandi Sabo, District Bathinda and the respondent is making appearance in the same. The distance between the two places is about 227 kms.

On the other hand, counsel for the respondent submits that even though, at the time of filing of the reply, no child was born, but however, he now admits that the son was born later on, who is about 2 months old. He also submits that it shall be inconvenient for the respondent also, if the divorce petition is transferred to Talwandi Sabo, District Bathinda.

In view of the aforesaid fact situation, it is pertinent to mention that generally the courts give preference to the convenience of the wife, while adjudicating on the transfer application, relating to the matrimonial dispute, 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 and some balancing of the convenience/inconvenience of the parties, is to be done by the courts.

In the case in hand, the most relevant and weighing factor, is the son born from the estranged marriage, who is 2 months old. The applicant turned out of the matrimonial house, while she was on the family way and subsequently, she has given birth to the male child, who is about 2 months old, at present. Considering the child to be 2 months old, his requirement



for the mother to be by his side all the time, is very essential. Watching the best interest of the child and also taking into consideration the distance between the two places to be about 227 kms, it shall definitely be inconvenient for the applicant, to pursue the divorce petition. Moreover, the petition under Section 12 of Protection of Women from Domestic Violence Act, is also pending in the courts at Talwandi Sabo, wherein the respondent is already making appearance.

Considering the aforesaid circumstances, it is just and expedient to accept the transfer application. Hence, the same is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/237/2025, titled '*Mandeep Singh v/s Pooja @ Pooja Rani*', filed by the respondent-husband, stands transferred from the Family Court, SAS Nagar, to Family Court (Camp Court), Talwandi Sabo, District Bathinda. The requisite record of the aforesaid case be sent by the Family Court, SAS Nagar, to the District and Sessions Judge, Bathinda.

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

09.12.2025

Sonu Saini

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No