



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

107+204

TA-1015-2024(O&M)
Date of Decision: July 21, 2025

Rajveer Kaur

...Applicant

Versus

Gagandeep Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Lupil Gupta, Advocate
for the applicant.

Mr.Rajeshwar Singh Thakur, Advocate
for the respondent.

ARCHANA PURI, J.

CM-13980-CII-2025

The present application has been filed for placing on record the
reply to the transfer application, on behalf of the respondent.

In view of the averments made in the application, the same is
allowed and the reply is taken on record.

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The applicant-wife has filed the present application for seeking
transfer of the petition under Section 13(1) of the Hindu Marriage Act, filed
by respondent-husband bearing No.DMC-460-2024, titled 'Gagandeep

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Singh vs. Rajveer Kaur', pending in the Family Court (Camp Court) Talwandi Sabo, District Bathinda and she seeks transfer of the same to the Court of competent jurisdiction at Sirsa.

Upon notice issued, the respondent made appearance through counsel and filed the 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 29.03.2023, but no child was born from the said wedlock. However, on account of matrimonial dispute, the parties are residing separate. It is further submitted that the applicant is not having any source of earning and is dependent upon her parental family.

On query, it is disclosed that the applicant had also filed petition under Section 125 Cr.P.C., which is pending at Dabwali, District Sirsa. In the given circumstances, it is submitted that it is difficult for the applicant to commute a distance of about 69 kms. to defend the divorce petition.

On the other hand, learned counsel for the respondent submits that the distance between Dabwali Courts and applicant's village Chathha, is about 25 kms. and the distance between applicant's village and Sirsa is about 60 kms. As such, it is submitted that if the transfer application is to be accepted, the divorce petition be transferred to Talwandi Sabo or Dabwali, rather than Sirsa, as prayed for. Also, it is submitted that the petition for seeking maintenance is already pending in the Family Court (Camp Court), Dabwali and the respondent had made appearance in the same.

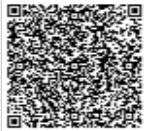


In view of the submissions aforesaid, it is pertinent to mention that even though, generally the Courts lean towards the convenience of the wife, while considering the transfer application, relating to the matrimonial dispute, but however, it is not a thumb rule. Various other circumstances spelt out from the material brought on record, ought to be taken into consideration and balancing of convenience/inconvenience of both the sides, ought to be made.

In view of the submission made by learned counsel for the respondent, it is evident that Dabwali, which forms the part of Sirsa Division, is at shorter distance from the village of the applicant, rather than Sirsa headquarter. The distance as well as the convenience, if the divorce petition is transferred to Dabwali, as such, is not disputed by learned counsel for the applicant.

Considering the same as well as taking into consideration, the maintenance petition already pending before Family Court (Camp Court), Dabwali, which is pursued by the respondent also, the transfer application, as such, is hereby allowed and the petition under Section 13(1) of the Hindu Marriage Act, filed by respondent-husband bearing No.DMC-460-2024, titled 'Gagandeep Singh vs. Rajveer Kaur', stands transferred from the Family Court (Camp Court) Talwandi Sabo, District Bathinda to the Court of competent jurisdiction at Dabwali, District Sirsa. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Talwandi Sabo to the District and Sessions Judge, Sirsa.

Learned District and Sessions Judge, Sirsa shall assign the said



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petition to the Family Court (Camp Court) Dabwali. Even, the parties are directed to appear before the Family Court (Camp Court) Dabwali, within a period of one month from today onwards.

July 21, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No