



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

Sr. No.106

**TA-9-2024 (O&M)
Date of Decision: 30.09.2025**

VAISHALI ROHILLA

....Applicant

Versus

RAGHU WADHAWAN

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Ameesha Goel, Advocate
for the applicant.

Mr. Ajay Kaushik, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

CM-19137-CII-2025

The present application has been filed at the behest of the applicant, for placing on record her salary slips, as Annexure P-4.

In view of the averments made in the application, same is allowed and the requisite salary slips are taken on record as Annexure P-4.

Main case

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/32/2023, titled '*Raghu Wadhawan Vs. Vaishali Rohilla*', filed by the respondent-husband, pending in the Family Court, Yamuna Nagar at Jagadhri and she seeks transfer of the same to the Court of competent jurisdiction at Chandigarh.



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 to the lis, had taken place on 09.07.2016, but no child was born from the said wedlock. It was second marriage of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant is residing at Chandigarh with her sister. She is working in private sector as an 'Executive' in Biofeuls Department at Rana Sugars Ltd., Sector 8, Chandigarh and having a meagre salary, which is not sufficient for her sustenance. Furthermore, it is submitted that she had filed a complaint before Women Cell, Sector 17, Chandigarh, which was not adjudicated upon by the police authorities. Also, it is submitted that after filing of the present competent, she had also filed the petition under Section 156(3) Cr.P.C., which is still pending in the Courts at Chandigarh. Besides the same, she has also filed the petition under the Protection of Women from Domestic Violence Act i.e. COMA/151/2023, which is also pending in the Courts at Chandigarh and the respondent is making appearance in the same. The distance between the two places is stated to be about 100 kilometres.

On the other hand, counsel for the respondent, while making reference to the reply, submits that the applicant has not come to the Court with clean hands. In fact, she had not disclosed about her previous marriage, at the time of marriage with the respondent. Also, it is submitted that in the similar manner, dispute was picked up by the applicant, with her first husband also. Furthermore, it is submitted that one of the relative of the



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applicant, is also working in the Chandigarh courts.

On query by this Court, counsel for the respondent was unable to state about the detail of such relative, allegedly working in District Court, Chandigarh and also the post occupied by him/her.

In view of the submissions aforesaid, it is pertinent to mention that generally, the Courts lean towards convenience of the wife, while adjudicating on the transfer application, relating to the matrimonial dispute. However, it is not a thumb rule. Each case has to be decided in the backdrop of its own facts and circumstances. In the case in hand, there is no child, born from the wedlock of the parties. The distance between the two places is about 100 kilometres. Even though, the applicant is working, but however, she is living at her sister's place and her salary is stated to be insufficient for her sustenance. Though, the respondent has stated about the relative of the applicant, to be working in District Court, Chandigarh, but no detail of such relative has been given. The relationship of the said relative with the applicant, his/her name and the post occupied by him/her, have not been stated by the counsel for the respondent. As such, the said assertion is quite vague, which has also been denied by counsel for the applicant.

Considering the aforesaid circumstances and also taking into consideration the fact of other two cases, arising from the matrimonial dispute, already pending in the Courts at Chandigarh, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/32/2023, titled '*Raghu Wadhawan Vs. Vaishali Rohilla*', filed by the respondent-husband, stands transferred from the Family Court, Yamuna Nagar at Jagadhri, to the Court of competent jurisdiction at Chandigarh. The requisite record of the aforesaid case be sent by the Family Court, Yamuna



Nagar at Jagadhri, to the District and Sessions Judge, Chandigarh.

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

Pending civil miscellaneous application also stands disposed of.

30.09.2025

Himanshu Vats

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No