



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

225

TA-1135-2025 (O&M)

Date of Decision: December 01, 2025

Ramanjit Kaur @ Ramanjeet Kaur

...Applicant

Versus

Harsimrat Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Mohinder Joshi, Advocate
for the applicant.

Mr.Harmeet Singh, Advocate
for the respondent.

ARCHANA PURI, J.

Applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act, filed by respondent-husband, bearing No.HMA-343-2024, titled 'Harsimrat Singh vs. Ramanjit Kaur', pending in the Family (Camp) Court, Batala and she seeks transfer of the same to the Court of competent jurisdiction at SAS Nagar, Mohali.

In pursuance of the notice issued, respondent made appearance through counsel and filed 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 11.10.2015 and one daughter born on 26.04.2018 from this marriage, is in the care and custody of the applicant. On account of matrimonial dispute, the parties are residing separate.

Also, it is submitted by learned counsel for the applicant that at the time of filing of the transfer application, the applicant was not doing any work. However, later on, she has been appointed as a teacher in Police Public School, Sector-48D, Chandigarh, on contract basis, for a period of one year w.e.f. June 2025 to May 2026, on the salary of Rs.12,000/- per month and as such, she had joined the school on 03.06.2025. Affidavit relating to the same was filed vide application No.CM-19751-CII-2025.

Furthermore, it is submitted that on account of job constraints and also taking into consideration the distance of 250 kms., between the two places, it is difficult for her to defend the petition under Section 9 of the Hindu Marriage Act, more particularly, while taking care of the minor child.

On the other hand, learned counsel for the respondent, while making reference to the reply submits that the applicant has other family members, in her parental family, who can very well accompany her to Batala, where the petition under Section 9 is pending.

In view of the submissions aforesaid, it is pertinent to mention that generally, the Courts give preference to the convenience of the wife, while considering the transfer application, relating to the matrimonial dispute, though it may not be a thumb rule. Other circumstances, as spelt out are also required to be taken into consideration. Each case has to be decided, in its own factual background and one distinctive circumstance,

may change the fate of the transfer application. In the case in hand, there is one daughter, aged about 7½ years at present, who is in the care and custody of the applicant. No other litigation is pending between the parties. The distance between the two places is about 250 kms.

Considering the same and also taking into consideration the fact of applicant having joined the job on contract basis, though for a period of one year, the difficulty is bound to be faced by her in pursuing the litigation from a distance of about 250 kms., more particularly, while taking care of the growing daughter.

Considering the aforesaid circumstances, the transfer application, is hereby allowed and the petition under Section 9 of the Hindu Marriage Act, filed by respondent-husband, bearing No.HMA-343-2024, titled 'Harsimrat Singh vs. Ramanjit Kaur', stands transferred from the Family (Camp) Court, Batala, to the Court of competent jurisdiction at SAS Nagar, Mohali. The requisite record of the aforesaid case be sent by the Family (Camp) Court, Batala, to the District and Sessions Judge, SAS Nagar, Mohali.

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

December 01, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No