



TA-1575-2024 (O&M)

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

**Sr. No.121**

**TA-1575-2024 (O&M)  
Date of Decision: 14.05.2025**

**POONAM**

**....Applicant**

**Versus**

**PARAMJIT KAUR**

**.....Respondent**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Rohit Kaushik, Advocate  
for the applicant.

Mr. Ramnish Puri, Advocate  
for the respondent.

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**ARCHANA PURI, J. (Oral)**

**CM-21889-CII-2024**

Keeping in view the averments made in the application, same is  
allowed.

**Main case**

The applicant-Poonam has filed the present application for  
seeking transfer of the civil suit i.e. CS/1189/2021, titled '*Paramjit Kaur Vs.  
Poonam*', filed by the respondent (mother-in-law of the applicant), which is  
pending in the Courts at Moga and she seeks transfer of the same to the  
Court of competent jurisdiction at Sonapat.



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

The counsel for the parties heard.

At the very outset, it is submitted by the counsel for the applicant that there is a matrimonial dispute of the applicant with her husband, who is son of the respondent. One daughter born from their wedlock, who is about 9 years old, is in the care and custody of the respondent. However, on account of the matrimonial dispute, they are entangled in litigation; petition under Section 125 Cr.P.C. was earlier pending and maintenance to the extent of Rs.10,000/- has been affixed by learned Family Court. Besides the same, there is another petition under Section 8 and 10 of the Guardians and Wards Act, which is pending between the parties. Also, it is submitted that the husband of the applicant is not making payment of maintenance, fixed by the Court.

On the other hand, the counsel for the respondent, while making reference to the reply, submits that the respondent is also an aged lady and she has certain age-related health issues. Besides the same, she is also taking care of the minor grand-daughter. In the given circumstances, it is submitted that it shall be too harsh for the respondent, if the transfer application is accepted.

In view of the rival submissions aforesaid, it be noted that it is a civil dispute between the parties, wherein the personal appearance of the parties, is not required, on each and every date of hearing. Considering the same, it be further noted that even preference is given to the woman, in case of transfer applications relating to the matrimonial dispute. But, here the



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contest is between the two women, who are daughter-in-law and mother-in-law. Given the age margin, the respondent has an edge as she is an aged person, who definitely must be facing certain age-related health problems and more particularly, when she is taking care of the grand-daughter, who is about 9 years old and more specifically, when she is living with her son.

In view of the aforesaid fact situation, when the presence of the applicant is not required, on each and every date of hearing, the transfer application is hereby dismissed.

However, the applicant has an option to file an application before the Court concerned to make appearance through virtual mode and upon filing of such application, the Court concerned shall consider the same, in the fitness of circumstances and pass an appropriate order.

Pending civil miscellaneous application also stands disposed of.

14.05.2025  
Himanshu

(ARCHANA PURI)  
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No