



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.106

TA-1501-2024
Date of Decision: 15.12.2025

TAMANNA AGGARWAL

....Applicant

Versus

HIMANSHU BINDAL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Karamjeet Sharma, Advocate
for the applicant.

Mr. Mandeep Nehra, 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/74/2024, titled '*Himanshu Bindal Vs. Tamanna Aggarwal*', filed by the respondent-husband, pending in the Family Court, Kurukshetra and she seeks transfer of the same to the Court of competent jurisdiction at Derabassi, District SAS Nagar.

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

Counsel for the parties heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 06.12.2021, but no child



was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and as such, is dependent upon her parental family. The distance between the two places is stated to be about 85 kms. Also, it is submitted that earlier, the petition under the Protection of Women from Domestic Violence Act, was filed by the applicant. However, on the basis of the compromise, the same was withdrawn and thereafter, again, the dispute arose between the parties.

On the other hand, counsel for the respondent submits that it shall be too harsh for the respondent also, to pursue the divorce petition, if so transferred. Also, it is submitted that the distance is not such, which causes inconvenience to the applicant.

In view of the submissions aforesaid, it is pertinent to mention that while dealing with the transfer application relating to the matrimonial dispute, various circumstances are required to be taken into consideration, such like, children, if any, born from the wedlock of the parties, which parent is having the custody of the children, the financial resources of both the spouses, the convenience of the witnesses and so on and so forth. In the case in hand, the most relevant and weighing factor is about the applicant not having any source of earning and also the distance between the two places to be about 85 kms.

In view of the aforesaid fact situation, it is just and expedient to accept the application. Hence, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/74/2024, titled '*Himanshu Bindal Vs. Tamanna Aggarwal*', filed by the respondent-



husband, stands transferred from the Family Court, Kurukshetra, to the Court of competent jurisdiction at Derabassi, District SAS Nagar. The requisite record of the aforesaid case be sent by the Family Court, Kurukshetra, to the District and Sessions Judge, SAS Nagar.

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

15.12.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No