IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.220

TA-1609-2024
Date of Decision: 08.09.2025

SONIA DEVI

....Applicant

Versus

KARAMVEER

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Parminder Walia, Advocate
for the applicant.

Mr. J.S. Sekhon, Advocate
for the respondent.

*****

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. DMC/1206/2024, titled *'Karamveer Vs. Sonia Devi',* filed by the respondent-husband, pending in the Family Court, Patiala and she seeks transfer of the same to the Court of competent jurisdiction at Yamuna Nagar.

In pursuance of 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 04.05.2022, but no child was born from the said wedlock. The applicant is not having any source of earning and as such, she is dependent upon her brother. She has filed the petition for maintenance i.e. MNT/299/2024, as well as the petition under the Protection of Women from Domestic Violence

Sonu
2025.09.09 09:56
I agree to specified portions of this document
P&HHC

Act i.e. COMA/282/2024, which are pending in the Courts at Yamuna Nagar and the respondent is making appearance in both the said cases. Besides the same, the respondent is facing trial in the Courts at Yamuna Nagar, relating to FIR bearing No.219 dated 26.09.2024, under Sections 323, 406, 498-A and 506 IPC, got lodged by the applicant at Police Station Jathlana, District Yamuna Nagar. The distance between the two places is stated to be about 115 kilometres.

On the other hand, counsel for the respondent, while making reference to the reply, in the form of affidavit of the respondent, submits that the applicant has not come to the Court with clean hands. In fact, she is a working woman. Prior to her marriage also, she was working and till date, she is working on commission based contractual work of government, which is related to pension work of government employees. Furthermore, in the reply, it is submitted that the mother of the applicant is bed-ridden. However, counsel makes reference to photographs R-1, wherein, it is evident that the mother of the applicant is dancing with the applicant. Besides the same, it is submitted that the applicant has also uploaded her status '*Court me jate time msti*', as depicted in photographs, Annexure R-3.

In response to recitals of the reply, it is submitted by the counsel for the applicant that the applicant is not working, at any place. No material has been placed on record by the respondent, to establish the vocation followed by her. It is submitted that it is a computer trick that it has been so uploaded, along with her photograph.

Considering the rival submissions aforesaid, it is pertinent to mention that though, the respondent had asserted about the applicant to be

Sonu
2025.09.09 09:56
I agree to specified portions of this document
P&HHC

working on contract basis, with regard to pension work of the government employees, but however, no material has been brought on record, to establish about the vocation of the respondent. In the given circumstances, suffice to consider the assertion made by the applicant, which is supported by an affidavit. Three other cases are pending in the Courts at Yamuna Nagar, more particularly, the criminal trial, wherein the respondent is bound to make appearance physically, on each and every date of hearing. Even, the distance between the two places is about 115 kilometres.

Thus, considering the fact of three cases already pending in the Courts at Yamuna Nagar and also considering the fact about the applicant having no source of earning and also the distance between the two places, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. DMC/1206/2024, titled *'Karamveer Vs. Sonia Devi',* filed by the respondent-husband, stands transferred from the Family Court, Patiala, to the Court of competent jurisdiction at Yamuna Nagar. The requisite record of the aforesaid case be sent by the Family Court, Patiala, to the District and Sessions Judge, Yamuna Nagar.

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

(ARCHANA PURI)
JUDGE

08.09.2025
Himanshu

Whether speaking/reasoned : Yes

Whether reportable : Yes/No

Sonu
2025.09.09 09:56
I agree to specified portions of this document
P&HHC