



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

Sr. No.205**TA-1619-2024****Date of Decision:20.02.2025****BALWINDER KAUR****...Applicant****Versus****TARANJEET SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI****Present:-** Mr. Ramneek Vasudeva, Advocate for the applicant.

Mr. Om Pal Sharma, Advocate for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the divorce petition under Section 13 of Hindu Marriage Act, i.e. HMA No.325 of 2024, titled as “*Taranjeet Singh Vs. Balwinder Kaur*”, filed by the respondent-husband, pending in Family Court, SAS Nagar and she seeks transfer of the same to the Court of competent jurisdiction at Rupnagar.

In pursuance of notice issued, respondent has made appearance through counsel and filed the reply, which is taken on record.

Counsel for the parties heard.

It is submitted by the counsel for the applicant that the marriage between the parties had taken place 20.01.2020 and one daughter born from the said wedlock, who is about 4 years old, is presently in the care and custody of the applicant. On account of the matrimonial discord, the parties are residing separate. The applicant has filed petition under Section 12 of the Protection of Women from Domestic Violence Act and petition under Section 144 of Bharatiya Nagarik Surksha Sanhita Act 2023, which are



already pending in the Courts at Rupnagar. Both the said cases are still at the appearance stage. Also, it is submitted by the counsel for the applicant that the applicant is unemployed and as such, has no source of earning and is totally dependent upon her parental family.

On the contrary, counsel for the respondent while making reference to the reply, submits that the distance is not such between Ropar and Mohali and she can very well pursue the divorce petition, pending at Mohali.

In view of the aforesaid submissions, taking into consideration the position of law about preference to be given to the convenience of the wife in the transfer applications relating to the matrimonial dispute, more particularly two other cases arising from the said dispute, filed at the instance of the applicant, to be pending in the courts at Rupnagar and also considering the fact of the applicant, having no source of earning and she is also taking care of the minor daughter, the transfer application is allowed and the petitioner under Section 13 of Hindu Marriage Act, i.e. HMA No.325 of 2024, titled as “*Taranjeet Singh Vs. Balwinder Kaur*”, filed by the respondent-husband, stands transferred from the Family Court, SAS Nagar (Mohali), to the Court of competent jurisdiction at Rupnagar. The requisite record of the aforesaid case be sent by the Family Court, SAS Nagar (Mohali), to the District and Sessions Judge, Rupnagar.

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

(ARCHANA PURI)
JUDGE

20.02.2025

Anu	Whether speaking/reasoned	:	Yes
	Whether reportable	:	Yes/No