



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

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TA-1644-2024(O&M)

Date of Decision: September 02, 2025

Aarti

...Applicant

Versus

Mandeep Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Daljeet Singh Randhawa, Advocate for
Mr.Satish Sabharwal, Advocate for the applicant.

Mr.Dhiraj Jindal, Advocate
for the respondent.

ARCHANA PURI, J.

The 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.DMC-1022-2024, titled 'Mandeep Singh vs. Aarti', pending in the Family Court, Patiala and she seeks transfer of the same to the Court of competent jurisdiction at Ferozepur.

In pursuance of the notice issued, the respondent made appearance through counsel and filed the reply.

Counsel for the parties heard.

At the very outset, it is submitted by learned counsel for the applicant that the marriage between the parties had taken place on 31.10.2013 and one son was born from the said wedlock, who is aged about 10 years, is in the care and custody of the applicant. Also, it is submitted

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that the applicant is not doing any work and has no source of earning. On account of the matrimonial dispute, she had filed petition under Section 125 Cr.P.C., which is pending before Family Court, Ferozepur. Besides the same, also she has filed petition under Section 12 of the Protection of Women from Domestic Violence Act, which is also pending before the trial Court, Ferozepur. In both the aforesaid cases, the respondent is already making appearance. Besides the same, the respondent is also facing trial in criminal case, relating to FIR No.0029 dated 26.09.2024 under Sections 406 and 498-A IPC.

The distance between the two places is stated to be 220 kms. Also, it is submitted that earlier, a petition under Section 9 was filed, at the instance of the respondent at Patiala and thereupon, TA-733-2023 was filed, which was decided vide order dated 31.05.2023, copy whereof is Annexure A-1. The same was transferred on the request of the applicant to Ferozepur and thereupon, the petition was withdrawn by the respondent.

On the other hand, learned counsel for the respondent, while making reference to the reply submits that the distance between the two places is about 190 kms. The respondent is also patient of diabetes, depression and skin disease and takes regular medicines. In the given circumstances, it shall be too harsh for him also, if the transfer application is accepted.

In view of the rival submissions aforesaid, it is pertinent to mention that while considering the transfer application, relating to the matrimonial dispute, various circumstances coming forth, ought to be taken



into consideration and the Courts, then ought to do some balancing of convenience/inconvenience of both the parties. In the case in hand, there is one son born from the said wedlock, who is about 10 years old and is in care and custody of the applicant. The applicant, as such, is not having any source of earning. Even, the distance between the two places is about 200 kms. Besides the same, three other litigation, arising from this matrimonial dispute, are already pending in the Courts at Ferozepur and the respondent is pursuing all the three litigation and more particularly, making appearance in the criminal case.

Considering the aforesaid circumstances, it is just and expedient to accept the transfer application. As such, the present transfer application is hereby allowed and the petition under Section 9 of the Hindu Marriage Act, filed by respondent-husband, bearing No.DMC-1022-2024, titled ‘Mandeep Singh vs. Aarti’, stands transferred from the Family Court, Patiala, to the Court of competent jurisdiction at District Ferozepur. The requisite record of the aforesaid case be sent by the Family Court, Patiala to the District and Sessions Judge, Ferozepur.

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

September 02, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No