



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

Sr. No.225

TA-1636-2024

Date of Decision: 09.09.2025

SAPNA KAUL

....Applicant

Versus

KULDEEP KAUR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Vipin Kumar Sharma, Advocate
for the applicant.

Mr. Paras Jagga, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

At this stage, counsel for the respondent submits that he does not intend to file reply to the transfer application, though he contests the same.

Counsel for the parties heard.

The applicant-Sapna Kaul has filed the present application for seeking transfer of the civil suit i.e. CS/10952/2024, titled '*Kuldeep Kaur Vs. Sapna Kaul*', filed by the respondent (mother-in-law of the applicant), pending in the Courts at Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Jalandhar.

At the very outset, it is submitted by the counsel for the applicant that the marriage of the applicant was performed with son of the



respondent, on 22.10.2021. One daughter born from the said wedlock, who is about 3 years old, is in the care and custody of the applicant. On account of the matrimonial dispute, the applicant, as well as her husband are residing separate. The applicant had already filed the petition under Section 125 Cr.P.C. i.e. MNT/447/2023, which is pending in the Courts at Jalandhar. Therein, the husband has been proceeded against *ex parte*. Furthermore, it is submitted that the complaint bearing No.4044-PTOO dated 19.09.2024, was filed by the applicant, against the respondent and her family members and counsel submits that as per instructions, FIR has been registered, on the basis of the said complaint. However, he is not having the particulars of the said FIR. The distance between the two places is stated to be about 70 kilometres.

On the other hand, counsel for the respondent submits that the respondent is mother-in-law of the applicant. She is an aged woman and on this account, she is suffering from various age-related health issues and therefore, the civil suit be not transferred. Otherwise also, since it is a civil proceeding, not all the time presence of the applicant is required in the same.

In view of the rival submissions aforesaid, it is pertinent to mention that in case of transfer application relating to the matrimonial dispute generally preference is given to the convenience of wife. There is a matrimonial dispute of the applicant with the son of the respondent, who is her husband and relating to the same, petition under Section 125 Cr.P.C. is pending. Though, the respondent is mother-in-law of the applicant, but however, the suit filed is also an offshoot of the matrimonial dispute. In the petition under Section 125 Cr.P.C., the son of the respondent has been



proceeded against *ex parte*. When the applicant herself is not working, some balancing of convenience/inconvenience, even if so made, goes in favour of the applicant, as she has to take care of the minor daughter. Though, it is submitted that the respondent is having age-related health issues, but however, nothing has come on record, to so substantiate this submission.

In view of the aforesaid fact situation and also weighing the circumstances existing, with regard to the matrimonial dispute of the applicant with the son of the respondent, it is just and expedient to accept the application. Hence, the transfer application is allowed and the civil suit i.e. CS/10952/2024, titled '*Kuldeep Kaur Vs. Sapna Kaul*', filed by the respondent (mother-in-law of the applicant), stands transferred from the Courts at Ludhiana, to the Court of competent jurisdiction at Jalandhar. The requisite record of the aforesaid case be sent by the Court concerned, to the District and Sessions Judge, Jalandhar.

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

09.09.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No