



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

Sr. No.107

TA-119-2025 (O&M)

Date of Decision: 09.02.2026

RICHA BHARGAV

....Applicant

Versus

MAYANK SOOD

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ashish Handa, Advocate
for the applicant.

Mr. Govind Preet Singh, 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. HMA/141/2024, titled '*Mayank Sood v/s Richa Bhargav*', filed by the respondent-husband, pending in the Family Court, Jalandhar and she seeks transfer of the same to the Court of competent jurisdiction at Chandigarh.

Upon 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 the counsel for the applicant that the marriage between the parties to the lis, had taken place on 03.05.2023, but no child was born from the said wedlock. Unfortunately, the matrimonial dispute arose between the parties, as a result whereof, they are



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residing separate. The applicant is a Director in the Pharma Company, as wholesale agent for the manufacturers under the name and style 'Richberg Healthcare Private Limited', having its office at Panchkula. The applicant has filed petition under Section 144 of Bharatiya Nagarik Suraksha Sanhita, as well as petition under Section 12 of Protection of Women from Domestic Violence Act, which are pending in the courts at Chandigarh and the respondent is making appearance, in both the said cases. It is also submitted that it is difficult for the applicant to commute a distance of about 150 kms, to pursue the petition under Section 9 of Hindu Marriage Act.

On the other hand, counsel for the respondent, while making reference to the reply submits that the applicant is well educated lady, who is also running a pharma company and as such, she is having her own drug trading business. Compared to the applicant, the respondent rather is facing more problems, on account of taking care of his parents, who also have age related ailments. Furthermore, he submits that financially also, the respondent is not very well, at present. In the light of the same, counsel submits that it shall be too harsh for the respondent also, if the transfer application is accepted.

In view of the submissions aforesaid, it is pertinent to mention that while adjudicating on the transfer application, relating to the matrimonial dispute, the courts generally lean towards the convenience of wife, but however, the same is not a thumb rule. Various other factors spelt out from the material brought on record, ought to be taken into consideration and thus balancing of the convenience/inconvenience of the parties, is to be done by the courts. Material factors to be considered are with regard to the



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educational qualification of the spouses, their means of livelihood and if any child is born, as to which parent is having the custody of the child; his means of raising the child; the distance between two places and other responsibilities towards the families.

In the case in hand, though, throughout much emphasis has been laid by the counsel for the applicant on the distance between the two places, where the petition under Section 9 of Hindu Marriage Act is pending and where it is sought to be transferred, to be about 150 kms, but however, the distance is one factor, which ought to be considered in the backdrop of other circumstances, spelt out. In the case in hand, seemingly, the applicant is well qualified and confident woman. She is running a drug trading business and is director of the Pharma Company.

Considering the working status of the applicant, obviously, she is well educated and confident professional woman. Her job, as such, also calls for lot of movement and is bound to be a time consuming affair. If the applicant can handle such challenge, then it should not be much difficult for her to commute a distance of about 150 kms, more particularly, considering the well connected transport facility available between Jalandhar and Chandigarh. Otherwise also, litigation which is sought to be transferred is of civil in nature, wherein the applicant is not required to make appearance on each and every date of hearing.

Besides the aforesaid, the applicant always has an option to make appearance through virtual mode, as and when her presence is required by the court. Obviously, such application can be filed before the court



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concerned, who can pass an appropriate order upon the same, in the fitness of the circumstances.

But any how, considering the aforesaid fact situation, no case is made out for acceptance of the transfer application.

Hence, the same is hereby dismissed.

09.02.2026
Sonu Saini

(ARCHANA PURI)
JUDGE

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