



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

Sr. No.185

**TA-435-2025 (O&M)
Date of Decision: 20.01.2026**

GURPREET KAUR

....Applicant

Versus

MANPREET SINGH & ANR

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Jasraj Singh, Advocate
for the applicant
(Through video conference).

Mr. Angrej Singh, Advocate
for the respondents.

ARCHANA PURI, J. (Oral)

CM-25633-CII-2025

The present application has been filed at the behest of the respondent, for placing on record the reply.

In view of the averments made in the application, same is allowed and the requisite reply is taken on record.

Main case

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e.

HMA/397/2024, titled '*Manpreet Singh v/s Gurpreet Kaur*', filed by the



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respondent-husband, pending in the Family Court, Sangrur and she seeks transfer of the same to Family Court (Camp Court), Garhshankar, District Hoshiarpur.

Upon 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 17.01.2020 and one daughter was born from the said wedlock, who unfortunately died on the next day of her birth. Now, there is no living child of the parties. The applicant is stated to be science graduate, but she is not having any source of earning. She is living with her maternal aunt, as both her parents (father and mother), have since died. She along with her younger brother, are taken care of by the maternal aunt at Garhshankar. Also, it is submitted that since both the parents of the applicant have died and the distance between the two places is about 150-155 kms, it shall be difficult for her to pursue the pending divorce petition. There is no other litigation arising from this matrimonial dispute.

On the other hand, counsel for the respondent while making reference to the reply refutes the claim for transfer. In fact, submits that the fault was on the part of the applicant, which led to the matrimonial dispute between the parties. She is having extra marital affairs with respondent No.2., as a result whereof, the dispute arose between the parties. She also used to send inappropriate messages from her phone to respondent



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respondent No.2 and the same are not being attached, out of decency, in the present application.

While adjudicating on the transfer application, relating to the matrimonial dispute, various factors ought to be taken into consideration. Unfortunately, there is no living child of the parties to the lis. The applicant is though stated to be science graduate, but she is not having any source of earning and she along with her younger brother, are dependent upon her maternal uncle, who is living at Garhshankar. Even though, the counsel for the respondent submits that the applicant is having extra marital affairs with respondent No.2, but nothing, as such, is coming on record, to substantiate this plea. In fact, in the divorce petition it is also so stated, but however, there is no material, coming on record.

Even though, messages are stated to have been exchanged between the applicant and respondent No.2, but copy of the same, as such, have also not been placed on record. In the given circumstances, it shall not be appropriate for this court, while deciding the transfer application, to comment upon such extra marital relationship of the applicant, which nullifies her claim, for seeking transfer of the divorce petition. The relationship, as asserted, can only be appraised by the court, which deals with the divorce petition. But any how, considering the distance between the two places and also about the applicant, having no source of earning and being dependent upon her maternal aunt, the transfer application is hereby allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/397/2024, titled '*Manpreet Singh v/s Gurpreet Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Sangrur, to



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Family Court (Camp Court), Garhshankar, District Hoshiarpur. The requisite record of the aforesaid case be sent by the Family Court, Sangrur, to the District and Sessions Judge, Hoshiarpur.

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

20.01.2026
Sonu Saini

(ARCHANA PURI)
JUDGE

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