



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

Sr. No.203

TA-493-2025

Date of Decision: 28.01.2026

ISHU VERMA

....Applicant

Versus

PARSHANT SONI

....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Gopal Sharma, Advocate
for the applicant.

Mr. Vishal Yadav, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. DMC/877/2024, titled '*Parshant Soni Vs. Ishu Verma*', filed by the respondent-husband, pending in the Family Court, Rewari and she seeks transfer of the same to the Court of competent jurisdiction at Sonapat.

In pursuance of 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 30.06.2020. However, a matrimonial dispute arose between the parties and they are residing separate. One daughter born from the said wedlock, who is

about 4 years old, is in the care and custody of the applicant. The applicant



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is not having any source of earning. She together with her daughter, is residing at her parental place and is dependent upon them. The applicant has filed the petition under Section 9 of the Hindu Marriage Act, which is pending in the Courts at Sonapat and the respondent is making appearance in the same. Also, it is submitted that after filing of the transfer application, the applicant has also filed the maintenance petition, which is also pending in the Courts at Sonapat and the respondent is making appearance in the same, as well. Also, it is submitted that even though, the applicant has done M.Com., but however, she is unemployed and dependent upon her parental family. The distance is stated to be about 100 kms.

On the other hand, counsel for the respondent, while making reference to the reply, submits that the applicant is a well-qualified lady and as such, she can very well, pursue the divorce petition, even if it remains pending at Rewari. Also, he submits that the respondent is ready to pay the travelling expenses.

In view of the submissions aforesaid, it is pertinent to mention that, while considering the transfer application relating to the matrimonial dispute, the Courts generally lean towards convenience of the wife. However, the same is not a thumb rule. Various other circumstances, spelt out from the material brought on record, ought to be taken into consideration and then some balancing of the convenience/inconvenience of the parties, is required to be done. From the several factors, which ought to be taken into consideration, while deciding the transfer application, relating to the matrimonial dispute, the most weighing factor in the present case is about the 4 years old daughter, born from the estranged marriage, to be in the care



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and custody of the applicant, who herself is not having any source of earning. No doubt, as disclosed by the counsel for the applicant in the application, as well as, submitted by the counsel for the respondent, the applicant is a well-qualified lady, but however, she is not having any source of earning, as she is not working.

In view of the aforesaid fact situation and considering the fact of daughter born from the broken marriage, to be in the care and custody of the applicant; distance between the two places and also considering the fact of two other litigations, arising from this matrimonial dispute, already pending in the Courts at Sonapat, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. DMC/877/2024, titled '*Parshant Soni Vs. Ishu Verma*', filed by the respondent-husband, stands transferred from the Family Court, Rewari, to the Court of competent jurisdiction at Sonapat. The requisite record of the aforesaid case be sent by the Family Court, Rewari, to the District and Sessions Judge, Sonapat.

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

28.01.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No