



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

Sr. No.159

TA-524-2025

Date of Decision: 28.04.2026

GAGANDEEP KAUR

....Applicant

Versus

RAVINDER PAL SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Priyanshu Kamra, Advocate
for the applicant.

Mr. G.S. Kaura, 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. HMA/660/2024, titled '*Ravinder Pal Singh Vs. Gagandeep Kaur*', filed by the respondent-husband, pending in the Family Court, Ambala and she seeks transfer of the same to the Court of competent jurisdiction at Jagraon, District Ludhiana.

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 that the marriage between the parties to the *lis*, had taken place on 16.02.2021, but no child was born from the said wedlock. However, on account of matrimonial dispute, the parties are residing separate. The applicant is residing at her parental place in Jagraon, District Ludhiana. She had got lodged an FIR bearing No.20 dated 21.04.2022, under Sections 406 and 498-A IPC, at Police Station Suthar, Jagraon, against her husband, mother-in-law and father-in-law and the trial, relating to the said FIR, is pending in the Courts at Jagraon. Furthermore, the applicant has filed the petition under Section 125 Cr.P.C. i.e. MNT/65/2025, as well as the petition under Section 12 of Protection of Women from Domestic Violence Act i.e. COMA/362/2024, which are pending in the Courts at Jagraon, at appearance stage. The applicant is not having any source of earning. The distance between the two places is stated to be about 150 kms. As such, a prayer for acceptance of the transfer application has been made.

On the other hand, counsel for the respondent, while making reference to the reply, submits that the applicant has not come to the Court with clean hands. In fact, she has been proceeded against *ex parte* before learned Family Court. Also, it is submitted that the father of the respondent- Harpal Singh Grewal, who is his attorney-holder, is a cancer patient. Even, the mother of the respondent, namely, Surjeet Kaur, is a heart patient. On account of their old age, as well as, medical ailments, it will be difficult for the father of the respondent also, to pursue the litigation, if so transferred to Jagraon.



Suffice to consider that the applicant had already made appearance before learned Family Court and filed an application for setting aside of the *ex parte* proceedings against her.

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 convenience of the wife. However, the same is not a thumb rule, as various other circumstances, spelt out from the material brought on record, are also to be taken into consideration and then, the Courts have to make an effort to balance the convenience/inconvenience of both the sides.

In the case in hand, there is no child born from the estranged marriage. The respondent himself is residing in Ireland and the divorce petition has been filed through his father, being his attorney-holder. Even, the respondent has appeared before this Court through his attorney. Though, it is stated that the father of the respondent, as well as his mother, have ample medical issues, but however, no material has been brought on record to substantiate the same. Very true that they are aged persons, but however, it ought to be taken into consideration that there are other three cases between the parties, which are pending in the Courts at Ambala. The husband, mother-in-law and father-in-law of the applicant are also facing trial in the criminal case, in the Courts at Jagraon, wherein they are required to make appearance on each and every date of hearing. No application, till date, has been filed by the respondent, to seek transfer of the said trial. Apart from the said trial, two other cases, arising from the broken marriage, are also pending in the Courts at Jagraon.



Considering the aforesaid factual position, more particularly, considering the criminal case to be pending at Jagraon, wherein the respondent, as well as his attorney-holder are also arrayed as an accused and also considering the applicant to be not having any source of earning and also taking into consideration the distance between the two places, this Court deems it appropriate to accept the application. Hence, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/660/2024, titled '*Ravinder Pal Singh Vs. Gagandeep Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Ambala, to the Court of competent jurisdiction at Jagraon, District Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Ambala, to the District and Sessions Judge, Ludhiana.

Learned District and Sessions Judge, Ludhiana, shall preferably assign the said petition to the same Court at Jagraon, where the litigation between the parties to the *lis* is already pending. Even, the parties are directed to appear before the Court concerned, within a period of one month from today onwards.

The Court concerned shall make an endeavour, to preferably adjourn all the cases, for one and the same date.

28.04.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No