



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

Sr. No.112

TA-581-2025

Date of Decision: 12.02.2026

SUKHBIR KAUR

....Applicant

Versus

HARPREET SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Ms. Komal Preet Kaur, Advocate
for the applicant.

Mrs. Pooja Rana, Advocate for
Mr. Ritesh Pandey, 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/46/2025, titled '*Harpreet Singh Vs. Sukhbir Kaur*', filed by the respondent-husband, pending in the Family Court (Camp Court) Batala, District Gurdaspur and she seeks transfer of the same to the Court of competent jurisdiction at Ajnala, District Amritsar.

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 16.02.2016. One son born from the said wedlock, who is about 9 years old, is in the care and custody of the applicant. Also, it is submitted that the child is studying in the school at Ajnala. Further, it is submitted that applicant is not having any source of earning and as such, is dependent upon her parental family. She has filed the petition under Section 13 of the Hindu Marriage Act, which is pending in the Courts at Ajnala and the respondent is making appearance in the same. The distance between the two places is about 49-54 kms.

On the other hand, counsel for the respondent, while making reference to the reply, submits that the applicant is an independent woman, who can very conveniently pursue the litigation, even if it remains pending in the Courts at Batala. Also, it is submitted that the distance is not such, which causes inconvenience to the applicant.

In view of the submissions aforesaid, it is pertinent to mention that, while considering the transfer application relating to the matrimonial dispute, various factors spelt out from the material brought on record, ought to be taken into consideration. The most relevant factor in the present case is about the child born from the estranged marriage, who is about 9 years old, to be in the care and custody of the applicant. The said child is studying in the school at Ajnala. The applicant is not having any source of earning. Also, the divorce petition, filed by the applicant, is pending in the Courts at Ajnala, wherein the respondent is already making appearance.



In view of the aforesaid fact situation, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/46/2025, titled ‘*Harpreet Singh Vs. Sukhbir Kaur*’, filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Batala, District Gurdaspur, to the Court of competent jurisdiction at Ajnala, District Amritsar. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Batala, to the District and Sessions Judge, Amritsar.

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

12.02.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No