



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

Sr. No.233

TA-577-2025

Date of Decision: 16.01.2026

POOJA RANI

....Applicant

Versus

SAURAV GARG

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. J.S.Bhinder, Advocate
for the applicant.

Mr. Dheeraj Mahajan, 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/445/2024, titled '*Saurav Garg v/s Pooja Rani*', filed by the respondent-husband, pending in the Family Court, Barnala and she seeks transfer of the same to Family Court, Sunam, District Sangrur.

Upon notice issued, the respondent made appearance through counsel and submits that the respondent does not intend to file reply to the transfer application, though he contest the same.

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 26.04.2015 and two sons were born from the said wedlock, who are aged



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about 7 years and 04 years. The elder son is in the custody of the applicant, whereas the younger son, is in the custody of the respondent. The applicant is not having any source of earning. She has filed petition under Section 144 of Bharatiya Nagarik Suraksha Sanhita as well as complaint under Section 12 of Protection of Women from Domestic Violence Act, which are pending the courts at Sunam and the respondent is making appearance in both the said cases. Counsel has also drawn the attention of the court to paragraph No.6 of the application, wherein it is stated that the family of the applicant is also having their own problems and her mother is about 70% handicapped.

On the other hand, counsel for the respondent submits that it shall be too harsh for the respondent also, if the transfer application is accepted.

In the case in hand, there are two children born from the wedlock of the parties and the elder son is in the custody of the applicant, whereas the younger son is in the care and custody of the respondent. The applicant herself is not having any source of earning and she is taking care of one son and two litigation filed at her instance are already pending in the courts at Sunam, which are being pursued by the respondent. Even, her mother is stated to be about 70% handicapped. On the other hand, counsel for the respondent could not pin-point any constrained circumstance, faced by the respondent, in pursuing the litigation in hand. Thus, balancing the convenience/inconvenience of both the parties, it is just and expedient to accept the transfer application. Hence, the same is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/445/2024, titled '*Saurav Garg v/s Pooja Rani*', filed by the respondent-husband, stands



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transferred from the Family Court, Barnala, to the Family Court (Camp Court), Sunam, District Sangrur. The requisite record of the aforesaid case be sent by the Family Court, Barnala, to the District and Sessions Judge, Sangrur.

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

16.01.2026

Sonu Saini

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No