



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

Sr. No.113

**TA-585-2025 (O&M)
Date of Decision: 19.01.2026**

PRABHJOT KAUR

....Applicant

Versus

DEEPAK KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Kushagra Mahajan, Advocate
for the applicant.

Mr. Naveen Kumar Mehra, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

CM-24501-CII-2025

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

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/2014/2024, titled '*Deepak Kumar Vs. Prabhjot Kaur*', filed by the respondent-husband, pending in the Family Court, Ludhiana and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.



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 19.01.2012. Two daughters were born from the said wedlock on 25.10.2012 and 05.01.2015. Both the said daughters are in the care and custody of the applicant. Further, it is submitted that the applicant is not having any source of earning and she together with her daughters, is solely dependent upon her parental family. There is no other litigation, arising from this matrimonial dispute.

On the other hand, counsel for the respondent submits that, if the transfer application is accepted, it shall be too harsh for the respondent also, to pursue the litigation, as he apprehends danger to his life, at the instance of the applicant.

In view of the submissions aforesaid, it is pertinent to mention that, while adjudicating on the transfer application relating to the matrimonial dispute, various factors ought to be taken into consideration. In the case in hand, the most weighing factor is about two grown up daughters, who are in the care and custody of the applicant, who herself is not having any source of earning. Though, counsel for the respondent submits that there is danger to the life of the respondent, if the transfer application is so accepted, but however, on query, counsel was unable to state, as to whether, there was any threat, at earlier instance and if so, whether any action was



taken against the applicant. As such, the assertion so made, is quite vague and without any basis.

Anyhow, considering the applicant to be not having any source of earning, more particularly, considering the fact of her taking care of two grown up daughters, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/2014/2024, titled ‘Deepak Kumar Vs. Prabhjot Kaur’, filed by the respondent-husband, stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana, to the District and Sessions Judge, Amritsar.

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

19.01.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No