



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.120

TA-664-2025
Date of Decision: 08.04.2026

RAVINA

....Applicant

Versus

JASBIR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. S.S. Sahu, Advocate
for the applicant.

Mr. N.K. Rana, 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/225/2024, titled '*Jasbir Vs. Ravina*', filed by the respondent-husband, pending in the Family Court, Panchkula and she seeks transfer of the same to the Court of competent jurisdiction at Tohana, District Fatehabad.

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 22.01.2022. One son was born from the said wedlock, who is about 1½ years old and he is in the care and custody of the applicant. On account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning. She is unemployed and as such, she, together with her son, is dependent upon her parental family. Also, it is submitted that after filing of the transfer application, the applicant has filed the complaint under the Protection of Women from Domestic Violence Act, which is also pending in the Courts at Tohana. Zimini orders relating to the said petition have also been placed on record. The respondent is making appearance in the said case. The distance between the two places is stated to be 200 kms.

On the other hand, counsel for the respondent, while making reference to the reply, as well as Aadhar Card annexed with the application, submits that the applicant has not come to the Court with clean hands. In fact, she is residing at Zirakpur and in this context, counsel has made reference to the recitals of the Aadhar Card, at page No.24 of the application. Also, it is submitted that the applicant is employed as a ‘Clerk’ in the gas agency. As such, she can very well pursue the litigation, which is pending in the Courts at Panchkula.

In view of the submissions aforesaid, it is pertinent to mention that, though, it is stated by the counsel for the respondent that the applicant is residing at Zirakpur, District SAS Nagar, but however, counsel for the applicant refutes the said claim. In fact, he submits that the applicant is



residing at the address, already mentioned in the application. Though, in the Aadhar Card, there is mention made of the address of Banur, but however, the same reads as '*c/o Jasbir*', who is the respondent herein.

On query by this Court, counsel for the respondent was unable to state about the recitals of Aadhar Card to be prior to the matrimonial dispute, when the parties were residing together. May it be so. Many a times it happens that after accrual of the dispute, the wife generally proceeds to live with her parental side and in these circumstances, in any case, at this stage, it cannot be concluded that the applicant is residing at Zirakpur. Even though, the issue with regard to the applicant being a working woman, is raised and during the course of submissions also, counsel for the respondent has submitted that she is working as a 'Clerk' in the gas agency, but however, there is no material coming on record, to so substantiate this submission. Even in the reply, no such assertion has been made.

Considering the aforesaid and also taking into consideration the distance between the two places to be 200 kms. and also taking into consideration the fact of other litigation, arising from the broken marriage, to be already pending in the Courts at Tohana, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/225/2024, titled '*Jasbir Vs. Ravina*', filed by the respondent-husband, stands transferred from the Family Court, Panchkula, to the Court of competent jurisdiction at Tohana, District Fatehabad. The requisite record of the aforesaid case be sent by the Family Court, Panchkula, to the District and Sessions Judge, Fatehabad.



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

08.04.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No