



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

111

TA-756-2025 (O&M)

Date of Decision: March 23, 2026

Megha Gupta alias Megha Aggarwal

...Applicant

Versus

Himanshu Aggarwal

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Nitin Sansanwal, Advocate for
Mr.Keshav Pratap Singh, Advocate
for the applicant.

Mr.Dhruv Gupta and Ms.Titiksha, Advocates
for respondent.

ARCHANA PURI, J.

Applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act, filed by respondent-husband, bearing No.HMA-335-2025, titled 'Himanshu Aggarwal vs. Mehga Gupta', pending in the Family Court, Jagadhri, Yamuna Nagar and she seeks transfer of the same to the Court of competent jurisdiction at Ambala.

In pursuance of the notice issued, respondent made appearance through counsel and filed reply.

Learned counsel for the parties heard.



TA-756-2025

-2-

At the very outset, it is submitted by learned counsel for the applicant that marriage between the parties to the lis, had taken place on 02.07.2020 and one daughter was born from the said wedlock, who is 4½ years old and is in the care and custody of the applicant. Apart from the divorce petition, two other litigation, arising from this estranged marriage, are also pending in the Courts at Ambala, i.e. petition under Section 125 Cr.P.C., wherein, the respondent is making appearance. Even, in the criminal case bearing FIR No.305 dated 12.08.2021 under Sections 323, 406, 498-A IPC, Police Station Ambala City, challan has been presented and respondent is facing trial in the Courts at Ambala.

The applicant is 100% deaf and dumb and has no source of earning. The distance between the two places is stated to be 50-60 kms.

On the other hand, learned counsel for the respondent, while making reference to the reply submits that the respondent is also 100% deaf and dumb. Currently, he is working as Clerk in a company in Mumbai and has a meagre salary, whereupon, it is difficult for him to pursue the litigation, which is pending in the Courts at Jagadhari and it shall become more difficult for him, if the divorce petition is transferred to Ambala.

In view of the submissions aforesaid and the material brought on record, undisputedly, both the applicant and respondent are 100% deaf and dumb. Therefore, solely on this account, convenience/inconvenience, as such, cannot be looked into. But however, the applicant has an edge, as the daughter born from the said wedlock, is about 4½ years and living with her. However, on query, though counsel for the applicant has not been able to state as to whether schooling of the child has started or not, but definitely,



TA-756-2025

-3-

keeping in view the her age, she must have started with her schooling.

Keeping in view the fact of the child being in the custody of the applicant, who herself has no source of earning and also taking into consideration, two other litigation arising from this estranged marriage and more particularly, the criminal case, wherein the respondent is required to make appearance on each and every date of hearing and also above it, considering the fact of respondent, following his job in Mumbai, as a Clerk, which, as such, would not cause much inconvenience to him, if the case is transferred from Jagadhri to Ambala, which is much well connected through road and rail transport, as compared to Jagadhri, therefore, it is just and expedient to accept the application.

As such, the transfer application, is hereby allowed and the petition under Section 13 of the Hindu Marriage Act, filed by respondent-husband, bearing No.HMA-335-2025, titled 'Himanshu Aggarwal vs. Mehga Gupta', stands transferred from the Family Court, Jagadhri, Yamuna Nagar, to the Court of competent jurisdiction at Ambala. The requisite record of the aforesaid case be sent by the Family Court, Jagadhri, Yamuna Nagar, to the District and Sessions Judge, Ambala.

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

However, taking into consideration the convenience of the respondent, who is also physically disabled, he always has an option to file an application to make appearance through virtual mode, as and when his



TA-756-2025

presence is required by the Court concerned and if any such application is filed, the Court concerned, shall consider the same, in the fitness of circumstances and pass an appropriate order.

March 23, 2026
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No