



TA-775-2025

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

Sr. No.202

TA-775-2025

Date of Decision: 13.01.2026

HARSIMRAN KAUR**....Applicant****Versus****CHARANJIT SINGH****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Vikkrant K. Vij, Advocate
for the applicant.

Mr. Ashwani K. Thakur, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

At this stage, counsel for the respondent submits that he does not intend to file reply to the transfer application, though, he contests the same.

Counsel for the parties heard.

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/215/2025, titled '*Charanjeet Singh Vs. Harsimran Kaur*', filed by the respondent-husband, pending in the Family Court, Amritsar and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.



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 16.05.2023, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant is a housewife and as such, she is not having any source of earning. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Ludhiana and the respondent is making appearance in the same. The divorce petition is stated to be a counter-blast, to the maintenance petition, filed at the instance of the applicant. The distance between the two places is stated to be about 140 kms.

On the other hand, counsel for the respondent submits that no case is made out for transfer of the divorce petition, as no reason, as such, has been assigned in the application.

In view of the submissions aforesaid, it is pertinent to mention that generally, the Courts lean towards convenience of the wife, while considering the transfer application relating to the matrimonial dispute, though, it may not be a thumb rule. Various other circumstances, spelt out from the material brought on record, ought to be taken into consideration and then balancing of convenience/inconvenience of both the sides ought to be made. In the case in hand, reply has not been filed, at the instance of the respondent. As such, nothing is evident about any constrained circumstances faced by the respondent. The applicant, on the other hand, is a housewife and she is not having any source of earning. Even, she has filed the petition under Section 125 Cr.P.C., which is already pending in the



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Courts at Ludhiana and the respondent, undisputedly, is making appearance in the same.

In view of the aforesaid fact situation and also considering the distance between the two places to be about 140 kms., the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/215/2025, titled ‘*Charanjeet Singh Vs. Harsimran Kaur*’, filed by the respondent-husband, stands transferred from the Family Court, Amritsar, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court, Amritsar, to the District and Sessions Judge, Ludhiana.

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

13.01.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No