



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

Sr. No.102

**TA-1284-2024 (O&M)
Date of Decision: 01.05.2026**

SAKSHI BHANOT ALIAS SAKSHI CHOPRA

....Applicant

Versus

AMIT BHANOT

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Amandeep Singh, Advocate
for the applicant.

Mr. Kritika Mandhan, Advocate for
Mr. Naresh Kaushik, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/767/2023, titled '*Amit Bhanot Vs. Sakshi Bhanot @ Sakshi Chopra*', 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.

In pursuance of notice issued, the respondent made appearance through counsel. However, the counsel made a statement that he does not want to file reply to the transfer application, though he contests 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 16.04.2022, but no child was born from the said wedlock. However, on account of the matrimonial dispute, the parties are residing separate. The applicant is not having any source of earning and as such, is dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., as well as, the petition under the Protection of Women from Domestic Violence Act, which are pending in the Courts at Ludhiana and the respondent is making appearance in both the said petitions. Also, it is submitted that the respondent is facing trial in the Courts at Ludhiana, relating to FIR bearing No.56 dated 25.07.2024, under Sections 406 and 498-A IPC, got lodged by the applicant at Police Station Women Cell, Ludhiana. The distance between the two places is stated to be about 140 kms.

On the other hand, counsel for the respondent, has though, not filed the reply, but however, she submits that since there is no child born from the estranged marriage and the applicant is an able young lady. She can very conveniently pursue the litigation, even if it remains pending at Amritsar.

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. There is no cast iron formula, which is to be adopted, while dealing with every transfer applications. Each case has to be adjudicated in its own factual background. One distinctive factor may change the fate of the case.



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Though, in the case in hand, no child was born from the broken marriage, but however, the applicant is not having any source of earning and is dependent upon her parental family.

In view of the aforesaid fact situation and considering the fact of three other cases, already pending in the Courts at Ludhiana, which are being pursued by the respondent, more particularly, the criminal case, wherein he is required to make appearance on each and every date of hearing, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/767/2023, titled '*Amit Bhanot Vs. Sakshi Bhanot @ Sakshi Chopra*', 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.

Pending civil miscellaneous application also stands disposed of.

01.05.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No