



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.222

TA-1345-2024

Date of Decision: 03.02.2026

SANGITA

....Applicant

Versus

RAVI

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ketan Antil, Advocate
for the applicant.

Mr. Simranpreet Singh, 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/559/2024, titled '*Ravi Vs. Sangita*', filed by the respondent-husband, pending in the Family Court (Camp Court) Safidon, District Jind and she seeks transfer of the same to the Court of competent jurisdiction at Ganaur, District Sonapat.

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

Counsel for the parties heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 08.12.2023. On query by



this Court, it is submitted that no child was born from the said wedlock. Unfortunately, the matrimonial dispute arose between the parties, as a result whereof, they are residing separate. The applicant is not having any source of earning. Even, she has filed the petition under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which is pending in the Courts at Ganaur. Also, it is submitted that after filing of the present transfer application, the applicant has filed the divorce petition, which is pending in the Courts at Ganaur and the respondent has joined the proceedings. The distance between the two places is stated to be about 75 kms.

On the other hand, counsel for the respondent submits that the distance between the two places, is falsely stated to be 75 kms., whereas, it is only 60 kms. However, counsel for the respondent fairly concedes that the respondent also has made appearance in the divorce petition, which has been filed by the applicant, after filing of the transfer application.

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. The distance between the two places, where the case is pending and where it is sought to be transferred, is one of the relevant factors, which is to be considered and appraised, in the backdrop of other circumstances, coming on record. Therefore, even if it is taken that the distance between the two places is 60 kms., as submitted, but however, there are other factors also, which are required to be considered. In the case in hand, the applicant is not having any source of earning. There are two other litigations, arising from the estranged marriage i.e. the maintenance petition, as well as the divorce



petition, which are pending in the Courts at Ganauar and the respondent is pursuing both the aforesaid petitions.

In view of the aforesaid fact situation, more particularly, considering the fact of the applicant, not having any source of earning, the transfer application is allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/559/2024, titled ‘*Ravi Vs. Sangita*’, filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Safidon, District Jind, to the Court of competent jurisdiction at Ganaur, District Sonapat. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Safidon, to the District and Sessions Judge, Sonapat.

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

03.02.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : Yes/No