



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.107 (2 cases)

Date of Decision: 28.04.2026

1. TA-1385-2025

MOHIT DHAND

....Applicant

Versus

PRIYA SHARMA

.....Respondent

2. TA-702-2025

PRIYA SHARMA

....Applicant

Versus

MOHIT DHAND

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Paramveer Singh, Advocate
for the applicant (in TA-1385-2025) and
for the respondent (in TA-702-2025).

Mr. Barjinder Singh, Advocate
for the respondent (in TA-1385-2025) and
for the applicant (in TA-702-2025).

**ARCHANA PURI, J. (Oral)**

These are two applications filed by the rival parties, for seeking transfer of two pending litigations, arising from their estranged marriage.

TA-1385-2025 has been filed by the husband, for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/16/2025, titled '*Priya Sharma Vs. Mohit Dhand*', filed by the respondent/wife, pending in the Family Court (Camp Court) Ajnala, District Amritsar and he seeks transfer of the same to the Court of competent jurisdiction at Ambala.

TA-702-2025 has been filed by the wife, for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/84/2024, titled '*Mohit Anand Vs. Priya Sharma*', filed by the respondent/husband, pending in the Family Court, Ambala and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.

In pursuance of the notice issued, respective respondent(s) made appearance through counsel in both the applications. Even, reply was filed at the behest of Priya Sharma/wife, in TA-1385-2025. However, in TA-702-2025, counsel for husband had given a statement that he does not want to file separate reply to the said application and the contents of rival transfer application i.e. TA-1385-2025, be considered as his reply.

Counsel for the parties heard.

For the convenience of discussion, the parties are referred to, as making appearance in TA-702-2025.



At the very outset, counsel for the applicant/wife submits that the marriage between the parties to the *lis*, had taken place on 18.06.2021, but no child was born from the said wedlock. Unfortunately, matrimonial dispute arose between the parties, as a result whereof, they are residing separate. The applicant is residing at her parental place in Ajnala, District Amritsar. Further, it is submitted that on account of the matrimonial dispute, the applicant had got lodged an FIR bearing No.81 dated 09.05.2024, under Section 498-A IPC, at Police Station Ajnala, District Amritsar, which is pending investigation.

Also, it is submitted that the applicant is working with the firm Accenture Solutions Limited, having its head office at Noida, Uttar Pradesh and the applicant is doing online work i.e. '*work from home*'. Her parents, on account of old age, have several medical ailments. As such, along with her job, she is also taking care of her parents, while staying at Ajnala. Furthermore, it is submitted that on account of her aged parents, she is unable to pursue the litigation, thrust upon her, at the instance of the respondent. The distance between the two places, where the respective petitions are pending, is stated to be about 250 kms. As such, a prayer has been made for acceptance of TA-702-2025 and dismissal of TA-1385-2025.

On the other hand, counsel for the respondent/husband, while making reference to the contents of TA-1385-2025, though, do not dispute about the date of marriage and no child having born from the said wedlock, but however, he submits that the applicant has not come to the Court with clean hands. In fact, she is working in a firm at Noida and is



drawing a handsome salary of Rs.1,40,000/- per month. As such, she is well-educated and confident lady and therefore, she can easily pursue the litigation, if it remains pending/transferred to Ambala.

Also, counsel for the respondent submits that the respondent has various health issues. He is suffering from persistent and serious back injury since 2023. Even, he remained admitted in Dhanwantri Hospital, for a period of 15 days and also remained admitted in GMCH, Sector 32, Chandigarh, qua the said injury. Also, it is submitted that the respondent is currently undergoing the treatment. Furthermore, it is submitted that the applicant is earning, much more than the respondent. Counsel, while making reference to the e-mails, relied upon by the applicant, which have been subsequently brought on record, submits that the same cannot be taken into consideration, as the e-mails have not been brought on record in due course, in accordance with law. Also further, it is submitted that even, as per the said e-mails, the applicant is required to proceed to her workplace, at least once in a fortnight.

Counsel also submits that it was only during the pendency of the present application(s) that the e-mails referred about about the visit of the applicant to Noida office, meaning thereby, it was from the date of the e-mails i.e. 14.04.2026. In fact, the counsel for the respondent submits that there is concealment, with regard to the applicant staying at Noida and pursuing her job. As such, he makes a prayer for entire litigation to remain pending/transferred to Ambala.



In view of the submissions aforesaid, at the very outset, it is pertinent to mention that while adjudicating on the transfer application, relating to the matrimonial dispute, the Courts generally lean towards convenience of the wife, but however, the same is not a thumb rule. Various other circumstances, spelt out from the material brought on record, ought to be taken into consideration and then, an attempt has to be made by the Courts to balance the convenience/inconvenience of both the spouses.

Adverting to the case in hand, it is pertinent to mention that there is no child born from the estranged marriage. Also, it is evident from the material brought on record that the applicant is a well-educated lady, who is a software engineer and is working in a firm in Noida, Uttar Pradesh. Though, the applicant has alleged that she is pursuing her job while '*working from home*' i.e. from her parental place at Ajnala, but however, one thing is certain that she is financially independent. Even though, much resistance is shown to the e-mails brought on record, about the applicant working from home and also about her visit to the head office once a fortnight, but however, even if the said e-mails are taken into consideration, it is evident that at least, once a fortnight, the applicant is required to go to her workplace at Noida.

Petition under Section 9 of the Hindu Marriage Act, filed by the husband, is pending at Ambala. The distance of Ajnala to Ambala is about 275 kms. and the distance from Ambala to Noida is about 235 kms., meaning thereby, if the applicant is required to pursue her job and reach her head office, once a fortnight, it is a long distance, which is required to be



covered. Definitely, Ambala falls in between, but in any case, the distance from Noida to Ambala is too long. Suffice to consider the medical record of the respondent also, which has been brought on record. It is stated that he is having a back problem. The aforesaid fact also has to be taken into consideration.

In view of the aforesaid, considering the distance, which the parties are required to cover, to pursue the litigation, pending at respective places and also keeping in view the other circumstances, spelt out from the material brought on record, an option was given by the Court to transfer the pending litigation at Ludhiana, which is approximately mid-way station and the said offer is acceptable to both the counsel. The said option has been given, while considering the applicant herself to be going to her workplace at Noida, after every 15 days.

Since the requisite option given by the Court is acceptable to both the counsel for the applicant, as well as the respondent, making the balance of the convenience/inconvenience of both the sides, both the transfer applications i.e. **TA-1385-2025 and TA-702-2025**, are hereby **partly allowed** and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/16/2025, titled '*Priya Sharma Vs. Mohit Dhand*', filed by the wife, as well as the petition under Section 9 of the Hindu Marriage Act i.e. HMA/84/2024, titled '*Mohit Anand Vs. Priya Sharma*', filed by the husband, stand transferred from the concerned Courts, to the Court of competent jurisdiction at Ludhiana. The requisite records of the aforesaid cases be sent by the Courts concerned, to the District and Sessions Judge, Ludhiana.



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

The Court concerned, where the case will be assigned, shall make an endeavour to adjourn the cases, preferably for one and the same date.

28.04.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No