



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

Sr. No.103+144

**TA-1451-2025 (O&M)
Date of Decision: 01.04.2026**

INDERJEET KAUR

....Applicant

Versus

ANNI JUNEJA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Raman Kumar, Advocate for
Mr. R.K. Kapila, Advocate
for the applicant.

Mr. Lokesh Vohra, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

CM-5598-CII-2026

The present application has been filed at the behest of the respondent, for placing on record reply to the transfer application.

In view of the averments made in the application, same is allowed and the requisite reply is taken on record.

Main case

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. DMC/30/2025, titled '*Anni Juneja Vs. Inderjit Kaur*', filed by the respondent-husband, pending in the Family Court, Ferozepur and she seeks transfer of the same to the Court of competent jurisdiction at Dasuya,

District Hoshiarpur.



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

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 17.04.2019. From the said wedlock, two children were born, one daughter, who is about 5½ years old and one son, who is about 2 years old. Both the said children are in the care and custody of the applicant. On account of matrimonial dispute, the applicant is residing at her parental place. Also, it is submitted that the applicant has filed the petition under the Protection of Women from Domestic Violence Act i.e. COMA/113/2024, which is pending in the Courts at Dasuya and the respondent is making appearance in the same. The applicant is working as a government teacher in Dasuya. Thus, while making balance between the care of the minor children, as well as, her job, it is difficult for the applicant, to commute a distance of about 220 kms., to defend the petition under Section 9 of the Hindu Marriage Act.

On the other hand, counsel for the respondent, while making reference to the reply, resists the claim for transfer. In fact, he submits that there is threat to the life of the respondent, at the behest of the applicant and her family members. Earlier also, the applicant, while leaving the matrimonial home, had caused injuries to the respondent, relating to which, counsel makes reference to the discharge summary, copy whereof is Annexure R-1/1.

In fact, on query by this Court, it is also stated that a complaint was filed by the respondent before the police, but however, he did not pursue



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the same and he had filed the petition under Section 9 of the Hindu Marriage Act.

Besides the aforesaid, while making reference to the reply, counsel for the respondent submits that he is the sole person, to take care of her aged mother, who is having chronic heart disorder. In this regard, counsel makes reference to Annexure R-1/2.

In view of the submissions aforesaid, it is pertinent to mention that while considering the transfer application, relating to the matrimonial dispute, various factors spelt out from the material brought on record, ought to be taken into consideration and then, balancing of the convenience/inconvenience of both the sides, has to be made. In the case in hand, the most relevant and weighing factor is about the two children born from the estranged marriage, who are in the age group of 2-6 years, to be in the care and custody of the applicant. No doubt, much emphasis has been laid upon the applicant to be working as a government teacher and therefore, she is bound to be a confident woman and financially independent. May it be so. This fact cannot, singularly, be considered, more particularly, considering about the two children to be in the care and custody of the applicant, as well as the distance between the two places to be about 220 kms. Moreover, the respondent is already making appearance in the petition under the Protection of Women from Domestic Violence Act, which is pending in the Courts at Dasuya and he is pursuing the same.

In view of the aforesaid fact situation, more particularly, watching the '*best interest*' of the children, out of whom, the elder one is bound to be school-going by this age, the transfer application is allowed and



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the petition under Section 9 of the Hindu Marriage Act i.e. DMC/30/2025, titled '*Anni Juneja Vs. Inderjit Kaur*', filed by the respondent-husband, stands transferred from the Family Court, Ferozepur, to the Court of competent jurisdiction at Dasuya, District Hoshiarpur. The requisite record of the aforesaid case be sent by the Family Court, Ferozepur, to the District and Sessions Judge, Hoshiarpur.

Learned District and Sessions Judge, Hoshiarpur, shall preferably assign the said petition to the Court, where the petition under the Protection of Women from Domestic Violence Act, between the parties to the lis, is already pending. Even, the parties are directed to appear before the Court concerned, within a period of one month from today onwards. The Court concerned shall make an endeavour to adjourn both the cases, for one and the same date.

01.04.2026

Himanshu Vats

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No