



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

Sr. No.108

TA-1684-2024

Date of Decision: 26.02.2026

SANDEEP KAUR

....Applicant

Versus

DILBAG SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

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

Mr. Surinder Garg, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

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/465/2024, titled '*Dilbag Singh Vs. Sandeep Kaur*', filed by the respondent-husband, pending in the Family Court, Faridkot and she seeks transfer of the same to the Court of competent jurisdiction at Ferozepur.

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 06.06.2022. One son born from the said wedlock, who is about 2 years old,



is in the care and custody of the applicant. 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 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which is pending in the Courts at Ferozepur and the respondent is making appearance in the same. The distance between the two places, up and down, is about 64 kms.

On the other hand, counsel for the respondent, while making reference to the reply, submits that the applicant is a resident of village Toot, District Ferozepur and the same is at a distance of only 22-23 kms. from Faridkot. Even, the distance between the village of the applicant and Ferozepur is only 14 kms. As such, considering the distance between the two places, as well as taking into consideration the road connectivity, counsel for the respondent submits that the applicant is in a position to pursue the litigation, even if it remains pending at Faridkot.

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 most weighing factor, relevant for the present application is about the son born from the estranged marriage, who is about 2 years old, to be in the care and custody of the applicant. She is taking care of the said child, more particularly, when she is not having any source of earning. Apart from this, there is other litigation, arising from the broken marriage, which is pending in the Courts at Ferozepur and the respondent is pursuing the same.

In the given circumstances, though, the distance is not much, but however, considering the interest of the child, who is toddler and as such,



requires care and attention of his mother and also considering the fact of another litigation arising from the matrimonial dispute, already pending in the Courts at Ferozepur, which is being pursued by the respondent, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/465/2024, titled ‘*Dilbag Singh Vs. Sandeep Kaur*’, filed by the respondent-husband, stands transferred from the Family Court, Faridkot, to the Court of competent jurisdiction at Ferozepur. The requisite record of the aforesaid case be sent by the Family Court, Faridkot, to the District and Sessions Judge, Ferozepur.

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

26.02.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No