



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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TA-1693-2025 (O&M)

Date of decision: 27.05.2026

Muskanpreet Kaur

...Petitioner(s)

Vs.

Karamdeep Singh

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Rahul Verma, Advocate
for the petitioner.

Mr. Sandeep Arora, Advocate
for the respondent.

NIDHI GUPTA, J.

Prayer in this petition filed by petitioner-wife under Section 24 of Code of Civil Procedure is for transferring petition filed by the respondent-husband U/s 13 of Hindu Marriage Act, 1955 (Registration No: DMC/1532/2025) titled as "Karamdeep Singh Vs Muskanpreet Kaur" (Annexure P-2) pending before Ld. Principle Judge, Family Court-II Jalandhar to the Court of competent jurisdiction at Amritsar, Punjab.

2. Learned counsel for the petitioner/wife seeks transfer of the above said Petition filed by the respondent/husband under Section 13 of the Hindu Marriage Act, 1955 (Annexure P-2) *inter alia* on account of the following grounds: -

- that the petitioner was married to the respondent/husband on 02.12.2023;
- that no child was born out of the wedlock of the parties;



- that due to matrimonial discord, parties are residing separately since 12.09.2025;
- As petitioner is unemployed and has no source of income, therefore, it is difficult for her to undertake travel of about 80 k.m. one way from Amritsar to Jalandhar (as averred in para 7 of the present petition); and
- that petitioner has filed application under Section 144 of Bharatiya Nagarik Suraksha Sanhita for grant of maintenance, which is pending adjudication before the Court of Ld. Principal Judge, Family Court Amritsar.

3. It is accordingly prayed that on account of the above said reasons, the present Transfer Application be allowed; and the Petition filed by the respondent under Section 13 of the Hindu Marriage Act, 1955 pending before the Family Court-II, Jalandhar be transferred to the Court of competent jurisdiction at Amritsar, Punjab.

4. *Per contra*, learned counsel for the respondent controverts submissions of the petitioner and submits that petitioner has no onerous responsibilities that prevent her from travelling the short distance of about 80 km, one side from Amritsar to Jalandhar. Whereas the respondent is a businessman and earning his living by doing business of steel. It is accordingly prayed that the present Petition be dismissed.

5. No other argument has been made on behalf of learned counsel for the parties. I have heard learned counsel for the parties and have perused the case file in detail. I find no merit in the submissions advanced on behalf of the petitioner.



6. On a Court query, Id. counsel for the petitioner has admitted that petitioner is a graduate; and that she is not working. It is also admitted that petitioner is not suffering from any physical disability. As noted above, no child is born of the wedlock between the parties. Clearly therefore, petitioner has no onerous responsibilities that prevent her from travelling the short distance of 80 km, one side from Amritsar to Jalandhar; and that too, not on every date of hearing, but only on effective dates. On the other hand, admittedly respondent is working and earning his living by running business of steel and shall also be paying maintenance to the petitioner. Whereas, petitioner despite being well qualified, has chosen not to work. In this situation, no exceptional or compelling circumstances have been brought on record by the petitioner to show that she is incapable of travelling short distance of 80 k.m. between Amritsar and Jalandhar. Petitioner has been unable to make out any extenuating circumstances or hardship that warrant exercise of discretionary relief in her favour.

7. This Court is well aware that the preponderance of law in cases of transfer emanating from matrimonial disputes is in favour of the wife. Despite that, facts of each case have to be examined on their own merit. Moreover, in certain cases similar to the present one, the Hon'ble Supreme Court, as well as this Court have refused relief to the wife. One such case is: **(2006) 9 SCC 197 'Anindita Das Vs. Srijit Das'** wherein Hon'ble Supreme Court under similar circumstances dismissed the wife's application seeking transfer of petition filed by the husband. Reference may also be made to two cases of this Court where, in similar circumstances this Court had dis-

missed transfer applications filed on behalf of the wife. These are: **TA No. 126 of 2018 ‘Smt. Akhwinder Kaur Vs. Sh. Gurpreet Singh’**; and **TA No. 299 of 2019 ‘Nisha alias Manisha vs. Amarveer Yadav’**. The above said view has been reiterated by the Hon’ble Supreme Court most recently in **Vipul Changanlal Solanki v. Nikita Vipul Solanki, (SC) : Law Finder Doc Id # 2843797** decided on 12.1.2026.

8. Accordingly, in view of the factual and legal position as noted above, finding no merit in this petition, the same is hereby **dismissed**.
9. Pending applications, if any, also stand dismissed.

27.05.2026

Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:

Whether reportable:

Yes/No

Yes/No