



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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TA-384-2025

Date of Decision: 13.05.2026

Kajal Sharma

.... Petitioner

Versus

Shubham Sharma

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Bhriugu Dutt Sharma, Advocate for the petitioner.

Mr. Arpan Sabharwal, Advocate for the respondent.

NIDHI GUPTA, J. (ORAL)

1. Prayer in this petition filed by the petitioner-wife is for transfer of the petition filed by respondent-husband under Sections 11 and 12 of the Hindu Marriage Act, 1955 (for short 'the Act') bearing No. HMA/304/2025 titled 'Shubham Sharma vs. Kajal Sharma' (Annexure P-1) pending in the Court of Principal Judge, Family Court, Ludhiana to a Court of competent jurisdiction at Panckula.

2. Learned counsel for the petitioner, *inter alia*, submits that :-

- i) The parties were married on 06.11.2024 according to Hindu Rites and customs.
- ii) No child was born out of the said wedlock.
- iii) Due to matrimonial discord the parties are residing separately since 14.01.2025.
- iv) The petitioner is jobless and has no source of income whereas; on the other hand, respondent is working as



a Fashion Designer and earning ₹1,00,000/- per month. Thus, petitioner has no source of income to maintain her livelihood.

- v) The distance between place of residence of the petitioner-wife i.e. Kalka and the place of proceedings (Annexure P-1) filed by the respondent-husband, pending before the Principal Judge, Family Court, Ludhiana, is about 145 kilometers on one side.
- vi) There is no direct connectivity of bus between Kalka and Ludhiana. As such, it is very difficult for the petitioner to undertake frequent travel for the case from Kalka to Ludhiana.

3. It is accordingly, prayed that the present petition may be allowed and the HMA/304/2025 (Annexure P-1) be transferred from the learned Family Court, Ludhiana to a Court of competent jurisdiction at Kalka, Sessions Division, Panchkula.

4. *Per Contra*, learned counsel appearing for the respondent vehemently opposes the submissions advanced by learned counsel for the petitioner and submits that vide order dated 12.02.2026 the matter had been referred to the Mediation and Conciliation Centre of this Court for exploring the possibility of amicable settlement between the parties. It is submitted that the petitioner-wife had appeared before the Mediator only once; whereas the respondent-husband had on each and every date i.e. 3-4 times. It is submitted that brother of the petitioner-wife had threatened the respondent-husband with dire consequences, in pursuance of which the



respondent had registered a complaint in the year 2025. It is further pointed out in the reply dated 10.10.2025 submitted by the respondent-husband that the respondent had agreed to pay all the travel, accommodation and litigation expenses of the petitioner for attending the Court proceedings at Ludhiana. Learned counsel submits that no other case is pending before the Courts at Panchkula or Kalka. No cogent reasons have been shown by the petitioner for not being able to travel from Kalka to Ludhiana. As such, learned counsel for the respondent prays for dismissal of the present petition. Further, learned counsel undertakes that the respondent shall pay an amount of ₹2000/- to the petitioner-wife on the date(s) when she puts in appearance before the learned Family Court at Ludhiana towards travelling expenses.

5. No other argument has been made on behalf of the parties. I have heard learned counsel for the parties and carefully gone through the case file. I find merit in the submissions advanced on behalf of the respondent.

6. In view of the facts as enumerated above, I am of the view that no extenuating circumstances have been brought to light by the petitioner, on the basis of which it is shown that she is not in a position to travel to Ludhiana and that too not daily but only on the dates of hearing. Moreover, respondent has undertaken to pay travel expenses of ₹2000/- to the petitioner on each effective date of hearing when she appears before the learned Family Court, Ludhiana. This Court is well aware of the preponderance of law in cases of transfer emanating from matrimonial disputes is in favour of the wife. However, in certain similar cases as the



present one, the Hon'ble Supreme Court, as well as this Court have refused relief to the wife. One such case which may be referred to is: **(2006) 9 SCC 197 'Anindita Das Vs. SrijitDas'** wherein Hon'ble Supreme Court under similar circumstances dismissed the wife's application seeking transfer of petition filed by the husband. Reference in this regard may also be made to two cases of this Court where, in similar circumstances this Court had dismissed 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.**

7. Accordingly, in view of the facts and circumstances of the present case as noted above, as also the precedents of Case law as above, finding no merit in this petition, the same is hereby **dismissed**.

8. Pending application(s), if any, shall also stand disposed of.

13.05.2026
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No