



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

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Transfer Application No.658 of 2026 (O &amp; M)

**Date of decision :-14.05.2026****Simerjeet Kaur****.....Applicant****Versus****Pankaj Trehan****.....Respondent****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

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

**NIDHI GUPTA J. (Oral)**

1. Prayer in this Transfer Application filed by applicant-wife is for transfer of the petition bearing No.HMA/413/2025 filed by respondent-husband under Sections13(i)(ia) of the Hindu Marriage Act,1955 (for short 'the Act') titled "Pankaj Trehan Singh vs. Simarjeet Kaur" pending in the Court of Principal Judge, Family Court, Mohali to a Court of competent jurisdiction at Ludhiana.

2. Learned counsel for the applicant has contended :-

- i) that the parties were married on 25.8.2024 according to Sikh rites and rituals.
- ii) That no child was born out of this wedlock.
- iii) that the applicant-wife is living separately from the respondent-husband and living with her parents at their mercy at Ludhiana.
- iv) that the applicant is unemployed, having no source of income and totally dependent upon her parents; and the respondent-husband is not paying anything to her towards maintenance.
- v) That the distance between place of residence of the applicant-wife i.e. Ludhiana and the place of proceedings under



Sections 13(i)(ia) of the Act, filed by the respondent-husband, pending before the Principal Judge, Family Court, Mohali, is about 100 kilometers one side.

- vi) that there is no proficient male member in the family of the applicant, who can accompany her to visit and attend the Court of proceedings at Mohali because the parents are old aged persons and suffering from age related ailments.

3. It is *inter alia* on these grounds that applicant prays for transfer of the case, as detailed in para 1 above. It is further submitted by learned counsel for the applicant that two cases i.e. one under Section 125 Cr.P.C. and the other under the DV Act filed by the applicant are pending at Ludhiana. However, on Court query regarding providing details of the said two cases filed by the applicant at Ludhiana Court, learned counsel for the applicant was unable to provide the details of that cases. The details of the same are also not mentioned in the present Transfer Application. Learned counsel for the applicant submits that the applicant apprehends that in case she goes to attend the proceedings at Mohali Court, she apprehends that the respondent may harm her.

4. I have heard learned counsel for the applicant.

5. I find no merit in the submissions advanced by learned counsel for the applicant as it is admitted that the applicant is unemployed; whereas the respondent is stated to be working. As such, it is difficult for the respondent to take leave from work and come to Ludhiana to attend the proceedings of Court. The details of alleged two cases, filed by the applicant before the Court at Ludhiana have not been provided. With regard to the submission on behalf of the applicant that the respondent can cause harm to the applicant, on Court query, it is admitted by learned counsel for the applicant that no police complaint in that regard has ever been registered by the applicant at any stage.



6. 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. Srijit Das'** 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 application, the same is hereby dismissed.

Pending application(s) if any stand disposed of.

May 14, 2026  
**Vijay Asija**

**( NIDHI GUPTA )**  
**JUDGE**

Whether speaking/reasoned Yes / No  
Whether Reportable Yes / No