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

Sr. No.224

**TA-1409-2023 (O&M)
Date of Decision: 27.08.2025**

RITAKSHI SETH PURI

....Applicant

Versus

SHAGUN PURI

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Prateek Sodhi, Advocate
for the applicant.

Mr. Navjit Singh, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 9 of the Hindu Marriage Act i.e. HMA/272/2023 titled '*Shagun Puri v/s Ritakshi Seth Puri*', filed by the respondent-husband, pending in the Family Court, Jalandhar and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.

Upon notice the respondent made appearance through counsel and filed the 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 03.05.2023, but no child was born from the said wedlock. On account of the matrimonial dispute, the parties are residing separate. The applicant has got lodged FIR No.103 dated 25.10.2023, in which challan has been presented



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and the same is pending adjudication in the courts at Amritsar. The respondent is making appearance in the same. Besides the same, the applicant has filed petition under Section 125 Cr.P.C., as well as complaint under Section 12 of Protection of Women from Domestic Violence Act and also one execution, relating to the arrears of maintenance of the said case, are already pending in the courts at Amritsar and the respondent is making appearance in all the said cases, through counsel. Furthermore, it is submitted that the applicant is not having any source of earning and is dependant upon her parental family.

On the other hand, counsel for the respondent while making reference to the reply, more particularly, the order dated 03.11.2023, passed by this Court, submits that at the inception stage, when notice of motion was issued, it was specifically stated about the applicant/wife, to be practising as an Advocate at Amritsar and is seeking transfer of the case. However, it is now submitted that the respondent has no objection, if the transfer application is allowed, but however, he makes prayer that the same be not transferred to Amritsar, as it is difficult for the respondent also to engage the counsel, as the applicant is already practising in the courts at Amritsar.

In view of the submissions made aforesaid, on query it is further emphasise by the counsel for the applicant that the applicant is not practising as Advocate. In fact, in the pending litigation at Amritsar, the respondent is being represented by the counsel. However, perusal of the order dated 03.11.2023, reveals that there is mention made about the applicant to be practising as an Advocate, but no stay, as such, was granted on this account, in the aforesaid order. In the given circumstances, though the respondent, as so stated, but no benefit, as such, has been drawn on the basis of the same. It



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is now submitted that the applicant is only a law graduate, but she is not practising as an Advocate.

Besides the aforesaid, it is pertinent to mention, as evident from the record that the respondent is facing trial in the criminal case, registered at the instance of the applicant and is represented by the counsel. Besides the same, petition under Section 125 Cr.P.C., as well as complaint under Section 12 of Protection of Women from Domestic Violence Act, already pending in the courts at Amritsar and the respondent is making appearance through counsel, in the said cases. Given the same, considering the petition under Section 12 of Protection of Women from Domestic Violence Act, filed at the instance of the applicant, nullifies the claim of her being practising Advocate and also considering the fact of respondent already represented in other litigation, through counsel, the transfer application, as such, is hereby allowed and the petition under Section 9 of the Hindu Marriage Act i.e. HMA/272/2023 titled '*Shagun Puri v/s Ritakshi Seth Puri*', filed by the respondent-husband, stands transferred from the Family Court, Jalandhar, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Family Court, Jalandhar, to the District and Sessions Judge, Amritsar.

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

27.08.2025

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(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No