



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

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Transfer Application No.1146 of 2025 (O & M)

Date of decision :-12.05.2026**Ramandeep Kaur****.....Applicant****Versus****Gurkirpal Singh****.....Respondent****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Sanjiv Kumar Yadav, Advocate
for the applicant.

Mr. Rajiv Kataria, Advocate with
Ms. Sushmeet Kaur, Advocate for the respondent.

NIDHI GUPTA J. (Oral)

The applicant-wife has filed the present transfer application seeking transfer of the petition filed by the respondent-husband under Section 13(1)(i-a) of the Hindu Marriage Act, 1955 (hereinafter referred to as 'the Act') seeking dissolution of marriage by a decree of divorce titled as "Gurkirpal Singh vs. Ramandeep Kaur", bearing No. HMA/143/2025 (Annexure P-4), pending before the Court of learned Addl. Principal Judge, Family Court, Dera Bassi, to the competent Court at Ambala.

Learned counsel for the applicant submits that the marriage between the parties was solemnized on 10.02.2020 and no child was born out of the wedlock. Owing to matrimonial



discord, the parties have been residing separately since 02.06.2022. It is submitted that the respondent-husband instituted the aforesaid divorce petition on 11.08.2025 at Dera Bassi on the ground of cruelty.

It is further contended that the applicant has already initiated the following proceedings against the respondent at Ambala:-

- (i) Petition under Section 125 Cr.P.C.
- (ii) Proceedings under the Protection of Women from Domestic Violence Act; and
- (iii) FIR No.0009 dated 09.01.2025 registered under Sections 323, 406, 498-A and 506 IPC at Police Station Mullana, District Ambala.

On the strength of the aforesaid proceedings, learned counsel submits that the divorce petition also deserves to be transferred to Ambala so as to avoid multiplicity of litigation and inconvenience to the applicant. It is additionally argued that the applicant apprehends threat to her safety at the hands of the respondent, alleging that the respondent had assaulted her at public places on earlier occasions.

Per contra, learned counsel appearing on behalf of the respondent-husband has vehemently opposed the prayer made in the present application. It is submitted that it is an admitted position that the applicant is presently residing and employed at Chandigarh, which is geographically much nearer to Dera Bassi



than Ambala. It is further submitted that the respondent is serving as a Lieutenant Colonel in the Army and is presently posted at Leh. According to learned counsel, the respondent has to travel from Leh whenever his presence is required before the Court. It is also pointed out that the marriage between the parties was solemnized at Zirakpur and the parties had lastly resided together at Dera Bassi and, therefore, the respondent rightly instituted the divorce petition at Dera Bassi, where part of cause of action arose.

Learned counsel for the respondent further submits that although the respondent has already put in appearance in the proceedings pending at Ambala, the said matters are still at an initial stage and the respondent is contemplating initiation of appropriate proceedings for transfer thereof in accordance with law.

I have heard learned counsel for the parties and have gone through the record.

The principal ground pressed by the applicant for seeking transfer is inconvenience coupled with an alleged apprehension regarding her safety. However, this Court finds that except making a bald assertion that the respondent had allegedly assaulted her at public places, no material whatsoever has been placed on record to substantiate such allegations. No complaint, medical document or any contemporaneous material has been



produced in support of the alleged apprehension. Mere vague allegations, unsupported by any prima facie material, cannot be made the sole basis for transfer of judicial proceedings.

That apart, it is not disputed that the applicant is presently residing and employed at Chandigarh. The distance between Chandigarh and Dera Bassi is comparatively short and convenient. On the other hand, the respondent is presently posted at Leh in connection with his military service and is required to travel a substantial distance to attend the proceedings. The comparative convenience of parties, therefore, does not tilt in favour of the applicant.

It also deserves notice that the marriage between the parties was solemnized at Zirakpur and the parties last resided together at Dera Bassi. Consequently, the Court at Dera Bassi cannot be said to lack territorial jurisdiction to entertain the petition filed by the respondent-husband under Section 13 of the Act.

Though pendency of connected proceedings at one place can, in certain circumstances, be a relevant consideration for transfer, however, the same cannot be treated as an absolute rule, particularly where no exceptional hardship or compelling circumstance is demonstrated. In the present case, this Court does not find any sufficient ground warranting exercise of



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discretionary jurisdiction for transfer of the matrimonial proceedings from Dera Bassi to Ambala.

Accordingly, finding no merit in the present transfer application, the same is hereby **dismissed**.

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

May 12, 2026

Vijay Asija

(NIDHI GUPTA)
JUDGE

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