



TA-655-2024

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

Sr. No.124

TA-655-2024

Date of Decision: 06.02.2025

VINIT GUPTA AND OTHERS**....Applicant****Versus****RAMMY GARG****....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Yogesh Goel, Ms. Jasleen Kaur and
Mr. Tejas Brar, Advocates
for the applicant.

Respondent proceeded against *ex parte*
vide order dated 23.01.2025.

ARCHANA PURI, J. (Oral)

The Applicant No.1-husband along with his mother and sister have filed the present application for seeking transfer of the petition under Section 12, 13, 17, 18 and 19 of Protection of Women from Domestic Violence Act titled “Rammy Garg v/s Dr. Vinit Gupta & Ors”, filed at the instance of the respondent (who is the wife of applicant No.1), which is pending in the Courts at Ludhiana and they seek transfer of the same to the court of competent jurisdiction at Dera Bassi, District SAS Nagar, Mohali.

In pursuance of notice issued the respondent did not make appearance. As such, he was proceeded against *ex parte*.

Counsel for the applicants heard.

It is submitted by the counsel for the applicants that the



TA-655-2024

marriage between the parties had solemnized on 09.12.2012 and two children were born from the said wedlock, who are presently studying in Delhi Public School, Ambala City, as day scholars. However, it is submitted that on account of matrimonial discord, the respondent had filed petition under the Domestic Violence Act, in district Ludhiana, which has no jurisdiction, as both the applicant No.1 as well as respondent, are residing within the jurisdiction of SAS Nagar (Mohali).

It is also submitted that the petition under Section 125 Cr.P.C. had also been filed by the respondent against the applicant No.1 in the courts at Ludhiana, which was transferred, vide CRM-M-23884-2024 titled "*Dr. Vinit Gupta v/s Dr. Rammy Garg and others*", vide order dated 30.09.2024, copy whereof has been supplied today, which is taken on record.

On query by the court, it is submitted that the applicant No.1 is residing at Ambala and is running an Ultrasound Centre at Lalru, Tehsil Dera Bassi, SAS Nagar (Mohali) and the respondent is doing a government job, being a doctor, working in Civil Hospital, Dera Bassi, SAS Nagar (Mohali).

Keeping in view the aforesaid factual position, it is pertinent to mention that the respondent/wife has not come forward to contest the transfer application and to state as to how the jurisdiction of Ludhiana is made out and why it is not convenient for her to pursue the petition under Section 12, 13, 17, 18 and 19 of Protection of Women from Domestic Violence Act, in the courts, if transferred to Derabassi.

Considering the aforesaid and also taking into consideration the fact of the children studying in the school at Ambala and parties are also



TA-655-2024

residing within the jurisdiction of Ambala as well as Dera Bassi, the present application is hereby allowed and the petition under Section 12, 13, 17, 18 and 19 of Protection of Women from Domestic Violence Act titled “*Rammy Garg v/s Dr. Vinit Gupta & Ors*”, filed at the instance of the respondent (who is the wife of applicant No.1), stands transferred from the Family Court, Ludhiana, to the Court of competent jurisdiction at Derabassi, District SAS Nagar. The requisite record of the aforesaid case be sent by the Family Court, Ludhiana to the District and Sessions Judge, SAS Nagar.

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

06.02.2025

Sonu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No