



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

Sr. No.217

**TA-286-2025 (O&M)
Date of Decision: 24.07.2025**

SHWETA

....Applicant

Versus

GYAN WATI DEVI

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Kamal Chaudhary, Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

Perusal of the paperbook reveals that on the last date of hearing, despite service, the respondent did not make appearance. Even today, he has not made appearance. As such, the respondent is proceeded against *ex parte*.

The counsel for the applicant heard.

The applicant/daughter-in-law has filed the present application for seeking transfer of the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. DV/256/2022, titled '*Gyan Wati Devi v/s Shweta*', filed by the respondent/mother-in-law, pending in Family Courts, Gurugram and she seeks transfer of the same to the Court of competent jurisdiction at Faridabad.

It is submitted by the counsel for the applicant that the marriage between the applicant and the son of the respondent, namely, Kapil, was solemnized in the year 2019 and one daughter born from the said wedlock, who is about 04 years old, is in the care and custody of the applicant. On



account of matrimonial dispute, the parties are residing separate and there is volume of litigation pending between the applicant and her husband. She has also got lodged one FIR No.6 dated 15.01.2023 under Sections 323, 34, 354-A, 376, 377, 406, 498-A, 506, 509 & 511 IPC, which is pending investigation in Faridabad. Besides the same, the applicant has also filed one petition under Section 125 Cr.P.C., which is also pending in the courts at Faridabad. Even, the divorce petition filed at the instance of the husband of the applicant, was transferred vide order dated 16.02.2023, passed in TA-200-2023, from Gurugram to Faridabad, copy whereof is Annexure P-1.

Also, it is submitted by the counsel that the applicant is not having any source of earning. In the given circumstances, it is difficult for her to commute a distance of about 50 kms to defend the petition under Section 12 of Protection of Women from Domestic Violence Act, filed by the respondent/mother-in-law, more particularly, when the other litigation arising from this matrimonial dispute, are already pending in the courts at Faridabad.

Considering the aforesaid submissions and also taking into consideration the fact of the applicant taking care of the minor child, who is 04 years old, at present and the other litigation already pending in the courts at Faridabad and more particularly, considering the fact about the respondent having not come forward to resist the application, the transfer application is allowed and the petition under Section 12 of the Protection of Women from Domestic Violence Act i.e. DV/256/2022, titled '*Gyan Wati Devi v/s Shweta*', filed by the respondent/mother-in-law, stands transferred from the Family Court, Gurugram, to the Court of competent jurisdiction at Faridabad. The requisite record of the aforesaid case be sent by the Family Court, Gurugram, to the District and Sessions Judge, Faridabad.



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

24.07.2025

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(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No