



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

Sr. No.105

**TA-998-2023 (O&M)
Date of Decision: 19.05.2025**

VINNY JALOTA

....Applicant

Versus

GAURAV JALOTA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

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

Ms. Ishani Goyal, Advocate for
Mr. S.S. Swaich, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

CM-9992-CII-2025

The present application has been filed at the behest of the respondent, for placing on record the reply to the transfer application.

In view of the averments made in the application, same is allowed and the requisite reply is taken on record.

Main case

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act, titled '*Gaurav Jalota Vs. Vinny Jalota*' (Annexure P-3), filed by the respondent-husband, pending in the Family Court (Camp Court) Kharar, District SAS Nagar and she seeks transfer of the same to the Court of competent jurisdiction at Ludhiana.

Upon notice issued, the respondent made appearance through



counsel and filed reply.

The 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 04.09.2006. Two children born from the said wedlock, who are aged about 16 years and 1½ years, are in the care and custody of the applicant. The applicant is not having any source of earning and is totally dependent upon her parental family. Even, she has filed the petition under Section 125 Cr.P.C., which is pending in the Courts at Ludhiana, at appearance stage. In the given circumstances, it is submitted that it is difficult for the applicant, to commute a distance of about 100 kilometres to defend the divorce petition.

On the other hand, the counsel for the respondent submits that in fact, the respondent had filed the divorce petition earlier and the petition under Section 125 Cr.P.C. has been filed as counter-blast to the same.

In view of the submissions aforesaid and considering the preference generally given by the Courts to the convenience of wife in the transfer applications relating to the matrimonial disputes more particularly, considering the fact of the applicant, not having any source of earning and taking care of two minor children, born from the wedlock, the transfer application is allowed and the petition under Section 13 of the Hindu Marriage Act, titled '*Gaurav Jalota Vs. Vinny Jalota*' (Annexure P-3), filed by the respondent-husband, stands transferred from the Family Court (Camp Court) Kharar, District SAS Nagar, to the Court of competent jurisdiction at Ludhiana. The requisite record of the aforesaid case be sent by the Family Court (Camp Court) Kharar, to the District and Sessions Judge, Ludhiana.



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

19.05.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No