



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

Sr. No.112

TA-1276-2024

Date of Decision: 25.03.2025

KOMAL DOLLY

....Applicant

Versus

RAMESH KUMAR AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Nitin Narula, Advocate for the applicant.

Respondent No.1 (sole contesting respondent)
proceeded against *ex parte*, vide order dated 17.12.2024.

ARCHANA PURI, J. (Oral)

The applicant-Komal Dolly, mother of Lovkesh Sharma, has filed the present application for seeking transfer of the civil suit i.e. CS/537/2024, titled '*Ramesh Kumar Vs. Lovekeh Sharma etc.*', filed by the respondent-Ramesh Kumar (who is father of Shallu Sharma), which is pending in the Court of Civil Judge (Junior Division), Batala, District Gurdaspur and she seeks transfer of the same to the Court of competent jurisdiction at Amritsar.

Upon notice, respondent No.1, who is the sole contesting respondent, did not make appearance, despite service and as such, was proceeded against *ex parte*.

Learned counsel for the applicant heard.

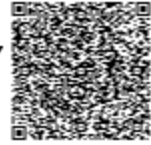
At the very outset, it is submitted by the counsel for the applicant that Lovkesh Sharma, son of the applicant, was married to Shallu Sharma, daughter of respondent No.1-Ramesh Kumar, on 06.02.2023, but no child was born from the said wedlock. However, the matrimonial dispute



TA-1276-2024

arose between them, as a result whereof, various rounds of matrimonial litigation cropped up. Even, the suit in hand is an offshoot of the matrimonial dispute. The son of the applicant has filed the divorce petition under Section 13 of the Hindu Marriage Act i.e. HMA/2379/2023 and the same is pending in Family Court, Amritsar. Even, the civil suit for defamation i.e. CS/1783/2024, filed against respondent No.1 and his daughter, was filed by Lovkesh Sharma and the same is also pending in the Courts at Amritsar. Also, an FIR bearing No.60 dated 17.06.2024, under Sections 341, 417 and 34 IPC, was got registered against Shallu Sharma, at Police Station Majitha Road, District Amritsar, on the statement of Lovkesh Sharma. Likewise, it is submitted that Shallu Sharma had filed the petition under Section 9 of the Hindu Marriage Act i.e. HMA/959/2024, against the son of the applicant and the same was filed in the Courts at Amritsar. However, it is submitted that the said petition has since been withdrawn, after filing of the present transfer application.

Considering the litigation between the children of the applicant, as well as respondent No.1, already pending in the Courts at Amritsar, which is pursued by them, more particularly, considering the civil suit i.e. CS/537/2024, to be an offshoot of the matrimonial dispute between the children of the parties and also considering the convenience of the parties, the transfer application is allowed and the civil suit i.e. CS/537/2024, titled '*Ramesh Kumar Vs. Lovekeh Sharma etc.*', filed by the respondent, stands transferred from the Courts at Batala, District Gurdaspur, to the Court of competent jurisdiction at Amritsar. The requisite record of the aforesaid case be sent by the Court concerned, to the District and Sessions Judge, Amritsar.



TA-1276-2024

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

25.03.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No