

Court No. - 19

Case :- TRANSFER APPLICATION (CIVIL) No. - 289 of 2024

Applicant :- Badashah Hasan

Opposite Party :- Rukaiya Khatoon

Counsel for Applicant :- Kamlesh Kumar

Hon'ble Manish Mathur,J.

1. Heard learned counsel for applicant. In view of order being passed, notice to opposite party stands dispensed with.
2. Application under Section 24 of the Code of Civil Procedure has been filed seeking transfer of Case No. 119 of 2024 under Section 12 of the Domestic Violence Act from District Azamgarh to District Ambedkar Nagar.
3. The aforesaid aspect has regarding place of filing of an application under Section 24 of the Code of Civil Procedure has already been dealt with by Co-ordinate Bench of this Court in the case of **Hema Rastogi versus Vishal Rastogi** reported in **(2017) 120 ALR 55** whereunder it has been directed that place of such institution of application would be before the Bench which exercises territorial jurisdiction where the suit is pending and in the present case, before this Court at Allahabad.
4. In view of aforesaid, learned counsel for applicant on the basis of instructions seeks to withdraw this application with liberty to file afresh at Allahabad.
5. Considering aforesaid submission, the application is dismissed as withdrawn granting liberty to file afresh at Allahabad.

Order Date :- 18.12.2024

Satish