



HIGH COURT OF UTTARAKHAND AT NAINITAL

Civil Transfer Application (filed under Section 24 of the Code of Civil Procedure, 1908) No.10 of 2026

Dated : 14th August, 2026

Smt. Surbhi Rawat ----- --Applicant

Versus

Vineet Rawat -----Respondent

Presence:-

Mr. D.C.S. Rawat, learned counsel for the applicant.

None appears for the respondent.

1. Heard learned counsel for the applicant.
2. The present Civil Transfer Application has been filed by the applicant seeking transfer of the Original Civil Suit No.244 of 2025, "Vineet Rawat vs. Smt. Surbhi Rawat", under Section 9 of the Hindu Marriage Act/21 of Uniform Civil Code (UCC) Uttarakhand, pending in the court of learned Additional Principal Judge, Family Court, Kotdwara, District Pauri Garhwal to the court of learned Principal Judge, Family Court, Dehradun.
3. Learned counsel for the applicant submits that the applicant married with the respondent on 13.03.2023 at Dehradun and has a daughter who was born on 11.10.2024 and after birth of a girl child, the respondent and his family treated the applicant with cruelty; that after this dispute, difference arose between the parties, but the same has been compromised before Mahila Aayog and it was agreed by the respondent that he will reside with his wife & daughter at his work place at West Bengal and they started living happily from 18.08.2025 to 22.11.2025; that after returning from Kolkata on

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24.11.2025, they reside together at Kotdwara till 27.11.2025 and the applicant went to her parental home to attend marriage of her cousin on 28.11.2025; that on 10.12.2025, when the applicant came back to her matrimonial house, the respondent did not allowed the applicant to enter into his house, thereafter, the father of the applicant was constrained to seek police protection for the applicant; that for creating defense for himself and with ulterior motive, the respondent has instituted an Original Civil Suit No.244 of 2025, "Vineet Rawat vs. Smt. Surbhi Rawat", under Section 9 of the Hindu Marriage Act, 1955/21 of Uniform Civil Code (UCC) Uttarakhand before the court of learned Additional Principal Judge, Family Court, Kotdwara, District Pauri Garhwal. Learned counsel for the applicant submits that the applicant is taking care of her minor daughter and is unable to contest the case at Kotdwar which is 120 kms. away from Dehradun. Learned counsel for the applicant further submits that, in case, the applicant is unable to appear before the court below due to her inability to leave her minor daughter, the suit will be decreed ex-parte and applicant would have to suffer a great loss and hardship.

4. In the present case, notices were issued to the respondent and the office report indicates that the notices have been served on the respondent, however, there is no representation on behalf of the respondent. In the present Transfer Application, an interim order was passed on 20.03.2026 by this Court and further proceedings of the suit



pending at Kotdwar were stayed.

5. In view of the fact that applicant is having a minor daughter and would be facing hardship and on account of the fact that there is considerable distance between Dehradun & Kotdwar, Pauri Garhwal, the instant C24 application is allowed. The Original Civil Suit No.244 of 2025, “Vineet Rawat vs. Smt. Surbhi Rawat”, under Section 9 of the Hindu Marriage Act/21 of Uniform Civil Code (UCC), Uttarakhand, pending in the court of learned Additional Principal Judge, Family Court, Kotdwara, District Pauri Garhwal is transferred to the court of learned Principal Judge, Family Court, Dehradun. The learned Court is directed to hear and decide the above case as expeditiously as possible.

6. As a sequel thereto, the miscellaneous application, if any, shall also stands disposed of.

7. Let a copy of this order be sent to the court concerned for compliance.

(Subhash Upadhyay, J.)

14.08.2026

Pant/