

**HIGH COURT OF UTTARAKHAND AT NAINITAL****Civil Transfer Application (C24) No.14 of 2026****10th July, 2026**

Anubhuti Burfal

...Applicant

Versus

Priyank Kumar Singh

...Respondent

Presence:-

Mr. Dharmendra Barthwal, Mr. Siddhant Manral and Mr. Harsh Rautela,
learned counsel for the applicant

Mr. Aditya Kumar, learned counsel for the respondent

Hon'ble Shri Justice Subhash Upadhyay, J.

Instant transfer application has been filed by the applicant-wife seeking transfer of Matrimonial Case No.45 of 2026 "*Priyank Kumar Singh vs. Anubhuti*" under Section 21 of Uniform Civil Code (UCC) of Uttarakhand Act, 2024, pending before the Family Court, Dehradun, District Dehradun to Family Court, Haldwani, District Nainital.

2. Learned counsel for the applicant-wife submits that the marriage between the applicant and the respondent was solemnized on 14.04.2025. However, soon after the marriage, certain disputes arose between the parties, which compelled the applicant to leave her matrimonial home. It is further



submitted that the applicant is presently residing with her parents at Shivalik Vihar, Phase-V, Lal Danth Road, Haldwani. The respondent was fully aware of the applicant's place of residence, yet he deliberately instituted proceedings under Section 21 of the UCC before the Family Court at Dehradun. It is submitted that the distance between Haldwani and Dehradun is approximately 280 kilometres. The applicant has no source of income and is entirely dependent upon her parents for her livelihood. It is further submitted that the applicant's parents are senior citizens, and it is extremely difficult for her to travel such a long distance alone to attend the proceedings before the Family Court at Dehradun.

3. Learned counsel for the respondent-husband has filed objections to the transfer application and contends that the applicant left the respondent's house just two months after the marriage, taking with her all her belongings, including her *stridhan*, as well as a sum of Rs. 50,000/-. It is further submitted that if the applicant is ready and willing to reside with the respondent, the respondent will withdraw the proceedings pending before the Family Court at



Dehradun.

4. As regards the submission of learned counsel for the respondent that the respondent would withdraw the proceedings pending before the Family Court at Dehradun, provided the applicant agrees to reside with him, the said contention pertains to the merits of the matrimonial dispute. The present transfer application is required to be adjudicated solely on the question of comparative inconvenience and hardship likely to be caused to the parties.

5. The Hon'ble Supreme Court, in a catena of decisions, has consistently held that, while considering an application for transfer in matrimonial disputes, the convenience of wife ordinarily deserves greater consideration.

6. In the present case, it is not disputed that the applicant is presently residing with her parents at Haldwani whereas the respondent has instituted the proceedings before the Family Court at Dehradun. The distance between Haldwani and Dehradun is approximately 280 kilometres. The applicant has asserted that she has no independent source of income and is wholly dependent upon her parents for her



maintenance and livelihood. It has also been stated that her parents are senior citizens.

7. Considering the entire conspectus of things, present transfer application is allowed. Matrimonial Case No.45 of 2026 "*Priyank Kumar Singh vs. Anubhuti*" under Section 21 of Uniform Civil Code (UCC) of Uttarakhand Act, 2024, pending before the Family Court, Dehradun, District Dehradun, is hereby transferred to Family Court, Haldwani, District Nainital.

(Subhash Upadhyay, J.)
10.07.2026

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