



2026:DHC:7324



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 31.08.2026

CNR No. DLHC010214132026

+ TR.P.(C.) 103/2026

RAMA RAJENDRAN

.....Petitioner

Through: Ms. Aditee Mathur and Mr. Rajat Mathur, Advocates along with Petitioner in person through Video Conferencing.

versus

AMIT SINGH PANWAR

.....Respondent

Through: Mr. Rahul Maurya and Mr. A.A. Siddiqui, Advocates along with Respondent in person through Video Conferencing.

CORAM:**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR**

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JUDGEMENT (Oral)

1. In view of Notification No. 85/G-4/Genl.-I/DHC dated 21.08.2026, whereby the matters fixed for 27.08.2026 were directed to be taken up on 31.08.2026, the present matter is taken up today.

2. The present Petition has been filed under Section 24 read with Section 151 of the **Code of Civil Procedure, 1908**¹, seeking transfer of the proceedings in **Guardianship Petition No. 91/2022**², filed under Sections 7 to 10 of the **Guardians and Wards Act, 1890**³ read with Sections 6 & 13 of the **Minority and Guardianship Act, 1956**⁴, titled "*Amit Singh Panwar & Anr. vs. Rama Rajendran & Anr.*", along

¹ CPC

² GP

³ GW Act

⁴ MG Act

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with HMA No. 2414/2025, filed under Section 10 of the **Hindu Marriage Act, 1955**⁵, seeking a decree of judicial separation, titled “*Amit Singh Panwar vs. Rama Rajendran*”, both pending before the learned **Additional Principal Judge, Family Courts, District South-West, Dwarka, Delhi**⁶, to the **learned Family Court, District South, Saket Courts, Delhi**⁷.

3. Learned counsel appearing on behalf of the Petitioner submits that the Petitioner is a working mother and is also taking care of a minor child. She submits that the minor child attends school till approximately 01:00 PM and thereafter goes to a creche situated in Aya Nagar, Delhi, within the campus of the official accommodation where the Petitioner resides.

4. She further submits that the residence, office and creche of the Petitioner are all situated in and around Aya Nagar, Delhi and that the Saket District Court is considerably more convenient and accessible for her as compared to Dwarka District Court.

5. She submits that, being the primary caregiver of the minor child, the Petitioner would be able to attend the proceedings at Saket Courts while also remaining in a position to attend to the child, if required.

6. **Per contra**, learned counsel appearing on behalf of the Respondent submits that, in the GP, the address furnished by the Petitioner is that of Dwarka and that the Petitioner had herself indicated that she would have no objection to the proceedings continuing before the Dwarka Courts.

⁵ HM Act

⁶ learned Family Court

⁷ learned Transferee Court



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7. Learned counsel for the Respondent further submits that the Respondent has his residence at Charkhi Dadri, Haryana and travels from Kolkata to Delhi whenever the proceedings are listed. He submits that Charkhi Dadri is considerably farther from Saket than from Dwarka and that the proposed transfer would, therefore, cause greater inconvenience to the Respondent.

8. He further submits that the mother of the Respondent is likely to be subjected to cross-examination and is already at an advanced age and suffering from osteoporosis and other medical ailments. He submits that requiring her to undertake a longer journey to Saket would cause her considerable hardship.

9. It is further submitted that the present Petition is merely a dilatory tactic, particularly when the proceedings before the Dwarka Courts are at an advanced stage, and any transfer at this stage would result in further delay in the adjudication of the proceedings.

10. Learned counsel for the Respondent also submits that the learned Dwarka Court has declined the Petitioner's request to recall the Respondent as a witness and that the present Petition is an attempt to circumvent the said order and secure, indirectly, an opportunity to have the Respondent recalled.

11. This Court has heard learned counsel appearing on behalf of the parties and has also considered the submissions advanced by the Petitioner and the Respondent, who have joined the proceedings through Video Conferencing.

12. In considering a request for transfer in matrimonial proceedings, the convenience of the parties has to be examined in the context of the circumstances obtaining in each case.

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13. In the present case, the Petitioner is residing in Delhi and is also the primary caregiver of the minor child. She has specifically placed before this Court the difficulties which she faces in travelling from Aya Nagar to Dwarka, particularly having regard to the location of the child's school and creche.

14. At the same time, the inconvenience pleaded on behalf of the Respondent and his mother cannot be disregarded. However, insofar as the Respondent himself is concerned, he admittedly travels to Delhi only for the purpose of attending the proceedings.

15. In these circumstances, this Court is of the view that the difference in inconvenience occasioned to him by having to attend proceedings at Saket Courts instead of Dwarka Courts would not, by itself, outweigh the difficulties demonstrated by the Petitioner, particularly when the latter is required to balance her attendance in Court with the care of the minor child.

16. Insofar as the mother of the Respondent is concerned, the apprehension regarding the hardship likely to be caused on account of her medical condition can appropriately be addressed by the learned transferee Court. The learned Court may, keeping in view her age and medical condition, regulate the cross-examination and other proceedings in such a manner as to ensure that she is subjected to the least possible inconvenience.

17. The submission that the transfer would result in delay also does not persuade this Court. The proceedings are being transferred from one Family Court to another, and the record would necessarily accompany the proceedings, and the transfer, in itself, cannot be presumed to occasion any undue delay, particularly when the learned

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transferee Court can proceed from the stage at which the proceedings presently stand.

18. As regards the submission that the present Petition has been filed to circumvent the order declining recall of the Respondent as a witness, this Court finds no sufficient basis to accept the same. The transfer of proceedings is being considered on the basis of the circumstances placed before this Court and the overall convenience of the parties, and not for the purpose of determining the Petitioner's entitlement to recall any witness. Any such request would necessarily be considered by the learned transferee Court in accordance with law.

19. In view of the aforesaid, and particularly considering the Petitioner's position as the caregiver of the minor child and the comparative convenience of conducting the proceedings at Saket Courts, this Court is of the view that the present Petition deserves to be allowed.

20. The present Petition is, accordingly, allowed and GP No. 91/2022 and HMA No. 2414/2025, presently pending before the learned Family Court, are hereby transferred to the learned transferee Court.

21. The learned Family Court is requested to transmit the complete case records, along with all documents forming part thereof, to the learned transferee Court within a period of four (04) weeks from the date of this Order, and thereafter the matters be listed accordingly.

22. The present Petition, along with pending application(s), if any, stands disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 31, 2026/nd/jk

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