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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ TR.P.(C.) 16/2016 & CM No.39065/2016

DR RUCHIRA PRASAD

..... Petitioner

Through Mr.Rajesh Yadav, Ms.Chandrani
Prasad & Ms.Mitali, Advocates

versus

DR JAYANTT PRASAD

..... Respondent

Through Mr.Rahul Tyagi & Ms.Nupur Grover,
Advocates

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **10.11.2016**

1. By the present petition filed under Section 24 read with Section 151 of the CPC, the petitioner seeks transfer of GP/55661/2016 (old GP/38/2015), which is a Guardianship Petition, pending before the Family Court, Rohini District Courts, Delhi to the Family Court, Saket District Courts, New Delhi.
2. The marriage between the petitioner and the respondent was solemnized on 28.03.2002. Thereafter, the disputes/litigations have inured.
3. The learned counsel appearing for the petitioner has urged that various other proceedings/disputes are also pending before the Saket District Courts, New Delhi, namely i) a petition filed by the petitioner under The Protection of Women From Domestic Violence Act, 2005; ii) a petition initiated under Section 156 (3) Cr.P.C. and iii) proceedings under the Hindu Marriage Act.

4. It is further urged that the courts in Saket would be better suited to the petitioner as the children are studying in a School in East of Kailash, New Delhi and the petitioner is residing at A-319 (1st Floor), Defence Colony, New Delhi- 110 024.

5. The learned counsel for the respondent very fairly conceded that he has no objection to the transfer of the present petition. He however, submits that only the apprehension is that the respondent is being deprived of the visitation rights of the minor children. He also submits that despite various orders passed by the courts, he has been experiencing difficulty in meeting the children.

6. The learned counsel further submits that an application filed by the respondent for visitation rights is pending in the Court at Rohini District Courts, Delhi which is coming up for hearing on 03.12.2016. He also submits that there is a possibility that the transfer would delay in adjudication of the said application.

7. The learned counsel for the petitioner has reiterated that the petitioner continues to abide by the orders passed by the various courts and also disputes the allegation made by the respondent.

8. In the interest of justice and also keeping in view the consent given by the respondent, the Guardianship Petition GP/55661/2016 (old GP/38/2015), titled as 'Dr. Jayantt Prasad v. Dr. Ruchira Prasad', is transferred to the Family Court, Saket District Courts, New Delhi.

9. The parties may appear before the Principle Judge, South East District Courts, Saket, Delhi on 01.12.2016. The court which is assigned the matter is requested to expeditiously decide the application of the respondent for visitation rights.

10. In view of the above, the present petition and all the pending application stand disposed of.

JAYANT NATH, J.

NOVEMBER 10, 2016/v