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

+ TR.P.(C.) 95/2016 and CM No. 31156/2016 (stay)

MEERA DEVI Petitioner
Through Ms.Anwasha Saha, Advocate.

versus

SHYAM SUNDER SHARMA Respondent
Through Mr.H.S.Sharma, Advocate.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
% **19.09.2016**

By the present petition, the petitioner seeks transfer of HMA No. 2113/2014 titled as ***Sh.Shyam Sunder Sharma vs. Mrs.Meera Devi*** pending before the learned Principal Judge, Family Court, Shahdara to any other competent Family Court.

Three grounds are urged before this court for transfer of the petition. Firstly, that the respondent is working as a Driver of the District and Sessions Judge, Karkardooma, and wields enormous influence secondly, that whenever the petitioner goes to the said court, she is threatened and thirdly that no interim expenses are being paid.

Learned counsel for the respondent has pointed out that a transfer petition was also filed by the petitioner before the Supreme Court under Section 25 CPC being TP(C) 178/2015. None appeared for the petitioner before the Supreme Court and the request was declined. A direction was

issued to the Principal Judge, Family Court Shahadara to hear and dispose of the HMA No. 2113/2014 titled as ***Sh.Shyam Sunder Sharma vs. Mrs.Meera Devi*** as expeditiously as possible preferably within one year.

In my opinion, there is no merit in the contention of the petitioner. The Supreme Court in its order dated 28.08.2015 directed as follows:-

“We, therefore, dispose of this transfer petition with a direction to the Principal Judge, Family Court Shahdara, Delhi to hear and dispose of HMA No. 2113 of 2014, titled as Shyam Sunder Sharma versus Meera Devi, as expeditiously as possible, preferably within one year.

Hence, as per order of the Supreme Court, the family court Shahadara is to dispose the petition expeditiously.

Further, merely because the respondent is working as a driver with the District and Sessions Judge, it cannot be a ground to transfer the matter as is being sought. The contention does not inspire confidence.

As far as the claim of threat allegedly made by the respondent is concerned, liberty is granted to the petitioner to approach the family court for appropriate security in case any such threat is made by the respondent.

In view of the above, the petition is disposed of.

Copy of the order be given dasti.

JAYANT NATH, J

SEPTEMBER 19, 2016
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