

TA No. 628 of 2017

Date of Decision: 14.12.2017

Neha

---Applicant

versus

Deepak Sharma

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Ms. Amarjit Kaur, Advocate
for Mr. Gautam Dutt, Advocate
for the applicant

Mr. Harish Nain, Advocate,
for the respondent

Rekha Mittal, J.

The applicant prays for transfer of divorce petition HMA No. 1457 of 2017 titled “Deepak Sharma vs. Neha” pending in the court at Faridabad to a court of competent jurisdiction at Gurugram.

Counsel for the applicant has submitted that application under Section 125 of the Code of Criminal Procedure (in short “Cr.P.C.”) filed by the applicant is pending in the court at Gurugram. The applicant is a teacher in Gurugram and she has the responsibility to look after minor child aged about 3 years born out of the wedlock.

Counsel representing the respondent has not disputed factual assertions but opposed the prayer for transfer.

Indisputably, the application under Section 125 Cr.P.C. filed by the applicant is pending in the court at Gurugram. The applicant is working as a teacher in a Government school and has the responsibility to

look after the minor child born out of the wedlock. Under these circumstances, transfer of the petition filed by the respondent from Faridabad to Gurugram may not cause much inconvenience for the respondent.

In view of the above, the instant petition is withdrawn from the Family Court, Faridabad and transferred to the District Judge, Family court, Gurugram for proceeding with the case, in accordance with law.

(Rekha Mittal)
Judge

14.12.2017

PARAMJIT