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

+ **TR.P.(C.) 57/2015 & C.M. No.16626/2015**

TEENA SHARMA

..... Petitioner

Through Ms.Sumita Hazarika, Advocate.

versus

PARVESH KUMAR

..... Respondent

Through Mr.Ganesh Dutt Sharma, Advocate.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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03.02.2017

Mediator has reported a case of non-settlement. Learned counsel for petitioner submits that the petitioner is willing to join her husband in the Matrimonial Home but the husband is unwilling to take her back.

Learned counsel appearing for respondent-husband submits that this is largely for the reason that he is apprehensive about the attitude of the petitioner as she had on earlier dates attempted to commit suicide and this poses a great threat to the respondent-husband.

Be that as it may, noting that there is little chance of settlement at this stage, this Court notes the prayer made in the present petition which is that since the proceedings under Section 125 Cr.P.C. are pending before the Family Court Judge, Karkardooma Court, the divorce petition which has been filed by the respondent-husband

(pending before the Family Court Judge, Dwarka Courts) be transferred to the Family Court Judge at Karkardooma. This is largely for the reason that the petitioner is living at Dilshad Garden with her mother and she has a small child of three years and she has difficulty to commute to Dwarka. This request is opposed by the respondent. He submits that he has filed the divorce petition earlier in time to the proceeding under Section 125 Cr.P.C; petitioner is employed and she can well appear in the Dwarka Court.

Noting the submissions and counter submissions, it would be in the interest of justice if proceedings pending before Family Court Judge, Dwarka Court be transferred to the Family Court Judge, Karkardooma (Shahdara District) and this is especially noting the submission of the petitioner that the petitioner has also to support a small child; she needs time to be with the child.

Parties are directed to appear before Family Court Judge, Dwarka on 20.3.2017 who will pass an appropriate order in terms of this order.

Petition disposed of.

INDERMEET KAUR, J

FEBRUARY 03, 2017

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