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

+ TR.P.(C.) 91/2015 & CM No.29477/2015

MALINI SEN

..... Petitioner

Through Mr.Sudeep Raj Saini, Advocate

versus

RAJESH SEN

..... Respondent

Through Ms.Kamini Jaiswal & Mr.Abhimannu
Shrestha, Advocates

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **16.02.2017**

The present petition is filed under Section 24 of the CPC by the petitioner seeking transfer of the Guardianship Petition No.62/2014, titled as “Rajesh Sen v. Malini Sen” pending in the court of Ms.Neena Bansal Krishna, Principal Judge, Family Court (Central), Tis Hazari, Delhi to the appropriate Family Court (South), Saket, Delhi.

The basic grievance of the petitioner is that the minor children are residing in Safdarjung Enclave and the appropriate court to try the matter would be the Family Court (South), Saket Delhi.

However, the learned counsel appearing for the respondent has pointed out that this petition is in continuation of the dilatory tactic being adopted by the petitioner. She submits that she has no objection to transfer of the petition provided that there is an expeditious disposal of the case. She also submits that the case was filed in 2008 and is lingering on without

adjudication.

Accordingly, I allow the present petition. The Guardianship Petition is transferred to the appropriate Family Court (South), Saket, Delhi. I may note that the learned counsel for the petitioner has made a submission before the court that the petitioner shall, on the date so fixed by the Family Court, not seek any adjournment. The petitioner shall be bound by the same.

The Family Court(South), Saket, Delhi is requested to expeditiously dispose of the petition keeping in mind the fact that the matter is eight years old, preferably within 12 months from today.

Needless to say both the parties would not be entitled to take any adjournments, except in emergent circumstances. Both the parties are directed to appear before the Family Court(South), Saket, Delhi on 02.03.2017.

In view of the above, the present petition and all the pending applications are disposed of.

JAYANT NATH, J.

FEBRUARY 16, 2017/v