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

+ **TR.P.(C.) 37/2018**

SHALU GROVER

..... Petitioner

Through: Ms. Neha Garg, Adv.

versus

ATUL GROVER AND ANR

..... Respondents

Through: Mr. Vijay Kinger, Adv.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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11.04.2018

Though the second respondent has been served there is no appearance on his behalf. The counsel for first respondent objects to the prayer in the transfer petition.

The petitioner and the first respondent had last resided together within the territorial jurisdiction of Shahdara District, Karkardooma Courts, where the divorce case HMA 991/2017 has been filed by the first respondent against the petitioner impleading the second respondent as a party, on the averments of illicit relationship between the two of them.

The ruling of the Supreme Court in *Santhini vs. Vijaya Venketesh* in Transfer Petition (Civil) No. 1278 of 2016 is distinguishable on facts.

Given the fact that the petitioner is a resident of Pitampura, New Delhi and there is another litigation pending between the parties arising out of the criminal complaint of the petitioner pending in the court at Rohini

Courts Complex, the prayer is granted. The divorce case HMA 991/2017 is withdrawn from the court of Principal Judge, Family Court, Shahdara District, Karkardooma Courts and transferred to the Court of Principal Judge, Family Court, District North-West, Rohini, Courts Complex for further proceedings in accordance with law.

The transferor court shall send the file, complete in all respects, to the transferee court fixing an appropriate date for the parties to appear there.

R.K.GAUBA, J

APRIL 11, 2018

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