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

+ **TR.P.(C.) 87/2019 & CM APPL. 29554/2019**

RAJESH

..... Petitioner

Through Mr C.R. Jagar, Advocate and Ms Jaspreet Kaur, Advocates.

versus

SATPAL YADAV

..... Respondent

Through Mr Shalabh Gupta and Ms Himani Aggarwal, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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13.08.2019

1. The petitioner has filed the present petition, *inter alia*, praying that the divorce petition bearing No. HMA 595/2018 captioned '*Sh Satpal Yadav v. Smt Rajesh*' which is currently pending before the Principal Judge, Family Court, Tis Hazari be transferred to the Court of the Principal Judge Family Court, North West District, Rohini Courts.
2. The petitioner claims that two other suits instituted by the respondent are already pending before the Family Court (West District) and therefore, it would be apposite if the present divorce petition is also transferred to the said Court. It is also stated that the respondent is residing within the territorial jurisdiction of the North West District.
3. The learned counsel appearing for the respondent submits that the said Divorce Petition was filed on 05.11.2005 and at the relevant time, the

District Court at Tis Hazari had the jurisdiction to entertain the same. Therefore, there is no dispute that the divorce petition was filed before the competent Court having jurisdiction to decide the same. He also points out that the matters before the Family Court (North West District), Rohini, are being adjourned from time to time and no effective hearing has been held since 07.02.2019. He further submits that on the other hand, the matter before the Family Court (West District), Tis Hazari, is now progressing at a fast pace.

4. It is noticed that the divorce petition was filed in 2005 and other suits were filed by the respondent much later. There is also no material to establish that there is any commonality of issues involved in the said suits.

5. In view of the above, this Court finds no reason to transfer the divorce petition, which is pending before the Family Court (West) to the Family Court North West District, Rohini.

6. The petition is, accordingly, dismissed. The pending application is also disposed of.

VIBHU BAKHRU, J

AUGUST 13, 2019

pkv