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

+ **TR.P.(C.) 91/2018 & CM No. 21268/2018**

PRATIBHA SHUKLA Petitioner
Through Mr. M. K. Vashisht, Adv. with
petitioner in person.

versus

SHIVA SHARMA Respondent
Through None.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **13.05.2019**

1. The petitioner has filed the present petition, *inter alia*, praying that the divorce petition filed by the respondent – HMA No.362/2018, captioned ***Shiva Sharma v. Pratibha Shukla*** – which is pending before the court of the Principal Judge, Family Court, South District, Saket be transferred to the court of Principal Judge, Shahdara District, Karkardooma Court Complex, Delhi.
2. The petitioner has filed a petition under Section 125 of the Cr.P.C,1973 and also a complaint under the Protection of Women from Domestic Violence Act, 2005, before the courts at Karkardooma Court Complex.
3. The petitioner has a male child, who is two years old and is residing with the petitioner. The petitioner contends that since she is raising the child

as a single mother, it is difficult for her to travel to the courts at Saket.

4. None appears on behalf of the respondent. Although a reply has been filed, it is seen that the respondent's reply mainly deals with the merits of the disputes between the parties, and is not relevant for considering the present petition. The respondent also contends that the convenience of the petitioner ought not to be given preference over his, since both the genders are to be treated equally.

5. In view of the facts as stated in the petition, this Court considers it apposite to allow the same and to transfer the petition, HMA No.362/2018, captioned ***Shiva Sharma v. Pratibha Shukla***, to the court of the Principal Judge, Family Court, Shahdara District, Karkardooma Courts Complex. It is so directed.

6. The parties shall appear before the court of the Principal Judge, Family Court, Shahdara District, Karkardooma Court Complex on 27.05.2019. It is clarified that the proceedings would continue from the same stage as currently obtaining.

7. The petition is disposed of.

VIBHU BAKHRU, J

MAY 13, 2019
DR