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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ TR.P.(C.) 121/2019 & CM Ns.39704/2019, 1940/2020
SHARDA Petitioner

Through: Mr.S.Shriram, Adv.

versus

OM PRAKSH & ANR Respondents

Through: Mr.Rajneesh Kapur, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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20.01.2020

1. This petition has been filed seeking transfer of the petition being H.M.A No. 11 of 2019 titled *Sh.Om Prakash v. Smt. Sharda & Anr.* pending in the Court of the learned Principal Judge, Family Court, District Shahdara, Karkardooma Courts, Delhi to the Court of the learned Principal Judge, Family Courts, North-West, Rohini Courts.
2. The ground for seeking transfer is that there are seven different proceedings that are pending before the Rohini Courts between the petitioner and the respondent no.1 and the petition for which the present transfer is being sought is the only petition pending before the District Court Shahadara, Karkardooma Courts.
3. It is further asserted that the petitioner is presently staying in Mangolpuri, which is almost 27-29 k.m. away from the Karkardooma Courts and finds it difficult to travel this distance to attend the hearing of the above petition.
4. The respondent no.2 remains to be unserved in the present petition. However, I do not deem it necessary to wait for his appearance for the purpose of the disposal of the present petition.

5. The learned counsel for the respondent no.1 objects to the present petition on the ground that the marriage between the petitioner and the respondent no.1 is void as the petitioner had concealed the factum of her earlier marriage with the respondent no.2. He further submits that the petitioner has not been complying with certain orders passed by the learned Family Court. He submits that even otherwise, the respondent no.1 is suffering from pain in his knee and is taking medical treatment from GTB Hospital, Dilshad Garden, Delhi and finds it difficult to travel to Rohini Courts.

6. I have considered the submissions made by the learned counsels for the parties. Admittedly, there are seven more petitions/proceedings that are pending before the Rohini Courts. The petitioner would find it difficult to prosecute the proceedings in two different Courts. As far as the objections of the respondent no. 1 are concerned, the same are to be dealt with by the learned Family Court as they relate to merit of the dispute between the petitioner and the respondent no. 2.

7. As far as the respondent No. 1's plea of pain in his knee, I do not consider it to be a reason to deny the relief as claimed in the present petition.

8. In view of the above, the petition being H.M.A No. 11 of 2019 titled ***Sh.OmPrakash v. Smt. Sharda & Anr.*** pending in the Court of the learned Principal Judge, Family Court, District Shahdara, Karkardooma Courts, Delhi is transferred to the Court of the learned Principal Judge, Family Courts, North-West, Rohini Courts, to be listed on 04.02.2020.

9. The petition is allowed in the above terms, with no order as to costs.

NAVIN CHAWLA, J

JANUARY 20, 2020/Arya