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

+ **TR.P.(C.) 70/2022**

VIJAY RATHORE

..... Petitioner

Through: **Mr. Manas Agarwal, Adv.**

versus

PRIYA RATHORE

..... Respondent

Through:

%

Date of Decision: 20th September, 2022

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. The matter has been taken up on office noting
2. A perusal of the record indicates that vide order dated 31st August, 2022, learned Civil Judge-04, Tis Hazari Court and 8th September, 2022, learned SCJ-cum- RC, Central District, has passed the following directions;

31.08.2022

“.....The filing of the present suit arise out of the matrimonial relationship between the defendant and son of plaintiff and thus, the present suit should be tried by Family Court.



In view of the above, let the present matter be placed before the Ld. District and Sessions Judge, (Central District), THC, on 08.09.2022 at 2 pm with request to transfer the same to a court of competent jurisdiction... ”.

08.09.2022

“In view of order dated 08.09.2022 passed by Ms. Deeksha Rao, Ld. Civil Judge-04, THC, Delhi, let this file be placed before Ld. Principal District & Sessions Judge for appropriate order for 12.09.2022 at 2:00 PM.

Parties are directed to appear before the concerned Court at the aforementioned date and time. ”

3. Pursuant to the order passed by learned ADJ-10, the matter was placed before the learned Principal District & Sessions Judge (HQ), Central, Delhi.
4. The learned Principal District & Sessions Judge (HQ), Central, Delhi has passed the following orders dated 9th September, 2022;

“This is civil suit received from the court of Sh.Balwinder Singh, learned SCJ cum RC, Central, Tis Hazari Courts, Delhi vide order dated 08.09.2022 in pursuance to order dated'31.08.2022 passed by Ms. Deeksha Rao, learned Civil Judge-04, Central, Tis Hazari Courts, Delhi.

Perused.



In view of orders dated 08.09.2022 and 31.08.2022, file be transmitted to the Hon'ble Delhi High Court for further directions since Family Courts are separate establishment.

Parties are directed to appear before the Registrar General, Delhi High Court on 15.09.2022 at 11:00 am.

File be sent immediately.”

5. The Registry has placed the matter before this Court in view of the order passed by the Registrar General of this Court.
6. Since the matter pertains to the Family Court, let the matter be assigned to the learned Principal Judge, Family Court, Central.
7. The transferee Court is directed to send the complete record to the Court of the learned Principal Judge, Family Court immediately.
8. Copy of the order be sent to learned Principal District & Sessions Judge (HQ), Central, Tis Hazari Court, Delhi and the learned Principal Judge, Family Court Central, Tis Hazari Court, Delhi.
9. Parties are directed to appear before the learned Principal Judge, Family Court Central, Tis Hazari Court, Central, Delhi on 27th September, 2022.
10. In view of the submissions made, the present petition stands disposed of.

DINESH KUMAR SHARMA, J

SEPTEMBER 20, 2022

Pallavi