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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **TR.P.(C.) 108/2024, CM APPL. 37473/2024 and CM APPL. 37475/2024**

CHEENA BABBAR

.....Petitioner

Through: Mr. Bharat Bhushan Gupta, Adv.

versus

NIKHIL BABBAR

.....Respondent

Through: Ms. Anubha Kaushal, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **26.11.2024**

1. Heard learned counsel appearing for both the parties.
2. This petition is filed with the following relief:-

"Pass necessary order/direction(s) for transfer of HMA No.947 /2019 CNR No: DLSH040028812019 titled as 'Nikhil Babbar Vs. Cheena Babbar' from the Court of Ms. Twinkle Wadhwa, Ld. Judge, Family Court, Karkardooma Courts, Delhi to any other Family Court at North West District, Rohini Courts, Delhi, in the interest of justice."

3. The Court takes note of the fact that at the instance of the petitioner-wife, the proceedings under the provisions of the Protection of Woman from Domestic Violence Act, 2005 are pending at North West District, Rohini Courts, Delhi. However, at the instance of respondent-husband, the divorce petition under Section 13 of the Hindu Marriage Act, 1956, bearing *HMA No. 947 of 2019* is pending before the Family Court, Karkardooma Courts, Delhi.



4. Learned counsel for the petitioner submits that the petitioner is the only member in her family to look after her mother, who is suffering from cancer, and the interest of justice would be better served if the proceedings pending at Karkardooma Courts, Delhi are transferred to North West District, Rohini Courts, Delhi.

5. Having considered the aforesaid submission, the Court is of the opinion that at the instance of the petitioner, the proceedings are already being attended by the respondent-husband at North West District, Rohini Courts, Delhi and it would be appropriate if the proceedings at Family Court Karkardoma Courts, Delhi are transferred to North West District, Rohini Courts, Delhi.

6. Accordingly, it is directed that the instant *HMA No.947 of 2019* be transferred to North West District, Rohini Courts, Delhi. Let the papers be placed before the Principal District and Sessions Judge, North West District, Rohini Courts, Delhi for assignment of the matter to the appropriate Family Court.

7. Accordingly, this petition is disposed of along with pending applications.

PURUSHAINDR KUMAR KAURAV, J

NOVEMBER 26, 2024/DPA