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

+ **TR.P.(C.) 128/2024 & CM APPL. 45098/2024**

NEERU

.....Petitioner

Through: Mr. Saurabh Kansal, Ms. Pallavi
Sharma Kansal, Mr. Manish Kumar,
Mr. Raghav Vij and Mr. Suraj Kumar
Jha, Advs

versus

SATBIR SINGH

.....Respondent

Through: Mr. Ashok Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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15.10.2024

1. Heard learned counsel appearing on behalf of the parties.
2. The petitioner is the daughter-in-law of the respondent, who has filed this petition seeking transfer of *Civil Suit No.135/2023* titled as '*Satbir Singh v. Neeru*', pending before the Court of Additional Principal Judge, Family Courts, Dwarka Courts, Delhi to any Court of competent jurisdiction at Rohini District Courts (North), Delhi.
3. The petitioner submits that, at her instance, as many as, three proceedings are pending in Rohini District Courts (North), Delhi. The subject matter of these relates to Section 125 of the Code of Criminal Procedure, 1973, 498A of the Indian Penal Code, 1860, and under the Protection of Women from Domestic Violence Act, 2005. It is also



submitted that the petitioner has an 11-year-old daughter who is suffering from certain ailments and therefore, requires constant support. She further submits that travelling for Court proceedings from her place of residence to the Dwarka Courts takes around 2 hours. She, therefore, prays for the aforesaid proceedings pending before the Dwarka Courts to be transferred to Rohini District Courts.

4. The prayer so made is opposed by learned counsel appearing on behalf of the respondent who submits that sole convenience of the petitioner may not be the determinative factor in the exercise of powers under Section 24 of the Code of Civil Procedure, 1908 to transfer the aforesaid proceedings.

5. Learned counsel for the respondent submits that the petitioner herself is working in Rohini District Courts and upon her transfer to any other Court, the petitioner will again request for transferring of the pending cases. Learned counsel, further submits that the respondent is aged about 65 years and also suffers from various age-related diseases.

6. I have considered the submissions made by learned counsel for the parties and perused the record.

7. Looking at the nature of the controversy in *Civil Suit No. 135/2023* which relates to permanent and mandatory injunction, instituted by the father-in-law of the petitioner and the fact that there are already three proceedings pending at the instance of the petitioner against the respondent at Rohini District Courts, Delhi, this Court finds that in the interest of justice, *Civil Suit No.135/2023*, deserves to be transferred to Rohini District Courts, Delhi.

8. Let the *Civil Suit No.135/2023*, be transferred to Family Courts,



Rohini District Courts, Delhi.

9. Accordingly, the instant transfer petition stands allowed and is accordingly, disposed of.

PURUSHAINdra KUMAR KAURAV, J

OCTOBER 15, 2024/MJ