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

+ **TR.P.(C.) 10/2025 & CM APPL. 4637/2025**

AASTHA BHARDWAJ

.....Petitioner

Through: **Ms. Akanksha Rai, Advocate**

versus

VIBHU SHARMA

.....Respondent

Through: **Appearance not given**

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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18.02.2025

The present petition has been filed for transfer of HMA no. 20/2021 titled as *Vibhu Sharma vs. Aastha Bhardwaj* pending before the learned Principal Judge, Family Court, South-West District, Dwarka Court to the learned Principal Judge, Family Court, North District, Rohini Court.

Learned counsel for the petitioner submits that there is a matrimonial dispute between the parties and other proceedings between the parties are pending before the North District, Rohini Court. Learned counsel submits, therefore, the present petition may also be transferred to the North District, Rohini Court.

Learned counsel for the respondent has vehemently opposed the transfer. Learned counsel submits that the present divorce petition was filed in the year 2021 and while at the stage of evidence, the present petition has been moved only to delay the trial. Learned counsel submits that at no point of time, the petitioner had sought transfer of this petition.



Generally, in the matrimonial cases, the courts take a lenient view while the transfer is being sought by the wife. However, it is not an inflexible rule. The transfer can be denied if there is some *mala-fide* in seeking the transfer. Though there is some delay, if it was inconvenient, transfer could have been sought earlier.

This Court does not find any *mala-fide*. In these circumstances, the case HMA no. 20/2021 titled as *Vibhu Sharma vs. Aastha Bhardwaj* is withdrawn from the court of learned Principal Judge, Family Court, South-West District, Dwarka Court and assigned to the learned Principal Judge, Family Court, North District, Rohini Court.

Transferor court is directed to send the entire record to the transferee court.

Copy of this order be sent to the learned Principal Judge, Family Court, South-West District, Dwarka Court and learned Principal Judge, Family Court, North District, Rohini Court for necessary compliance.

Both the parties are directed to appear before the learned Principal Judge, Family Court, North District, Rohini Court on 03.03.2025.

In view of the above, the present petition alongwith pending application, stands disposed of.

DINESH KUMAR SHARMA, J

FEBRUARY 18, 2025

N/KR