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

+ **TR.P.(CRL.) 17/2025**

ISHA MEHTA

.....Petitioner

Through: Mr. Bahuli Sharma, Mr. Vaibhav
Dabas, Ms. Amrita Jhamb, Advocates

versus

ABHISHEK SHARMA & ORS.

.....Respondents

Through: Ms. Heena Dawar, Mr. Deepak
Mehra, Advocates

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **30.04.2025**

CRL.M.A. 13066/2025 (for early hearing)

1. For the grounds and reasons stated in the application, the request for advance the hearing is allowed and the main transfer petition is taken up on Board by today itself.

2. Accordingly, the present application is allowed and disposed of.

TR.P.(CRL.) 17/2025

3. The present petition seeks transfer of the case titled "***Isha Mehta Versus Abhishek Sharma & Ors***" in MC No. 642/2024 from the Court of Metropolitan Magistrate, Dwarka District Court, New Delhi to the concerned Court of competent jurisdiction at Tis Hazari Court, New Delhi.

4. Counsel for the Petitioner urges that the matter has already been heard by the concerned Metropolitan Magistrate at Dwarka Court, however, after the arguments were heard and order was reserved, counsel for the Respondents raised an objection regarding the territorial jurisdiction of the

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said Court. In light of the said objection, the Petitioner has invoked the jurisdiction of this Court.

5. During the course of the hearing, a specific query was addressed to the counsel for the Respondents as to whether the Respondents have an objection with the territorial jurisdiction of the Dwarka Courts, to which the counsel has emphatically responded in the affirmative. He contends that the Dwarka Court does not have the jurisdiction to entertain MC No. 642/2024.

6. In light of the foregoing, the request made by counsel for the Petitioner is found to be genuine and accordingly, it is directed that the case bearing MC No. 642/2024 shall be transferred from the Court of Metropolitan Magistrate, Dwarka District Court, New Delhi to the concerned Court of competent jurisdiction at Tis Hazari Court, New Delhi.

7. Copy of the order be sent to The Principal District and Sessions Judge, for necessary information and compliance.

8. It must be noted that the Petitioner's request for transfer of the case would necessarily entail reconsideration of the matter and arguments will have to be addressed by the parties once again. In light of the above, considering that the Petitioner's request for award of maintenance is pending consideration for substantial time, the concerned Court at Tis Hazari is requested to decide the same within a period of three months from today.

9. Accordingly, the present petition is disposed of.

10. The date of 3rd July, 2025, stands cancelled.

SANJEEV NARULA, J

APRIL 30, 2025/ab

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