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

+ **TR.P.(C.) 98/2024**

LEKHA SONI ALIAS LEKHA MEHTAPetitioner

Through: **Mr. Ashish Negi, Adv. (VC).**

versus

KUNAL SONIRespondent

Through: **Appearance not given.**

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

13.01.2025

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1. The present petition has been filed under Section 24 CPC read with Section 151 CPC read with Section 21A of Hindu Marriage Act, 1955 for transfer of divorce petition bearing HMA No. 1770/2023 titled *Kunal Soni Vs. Lekha Soni* pending before Ld. Judge, Family Court, West District, Tis Hazari Courts, Delhi filed by the respondent/ husband before Ld. Judge, Family Court, South East, Saket District Courts, Delhi.
2. Learned counsel for the petitioner submits that the petitioner (wife) had filed a divorce petition bearing HMA No. 1911/2022, titled *Lekha Soni @ Lekha Mehta vs. Kunal Soni*, which is pending consideration before the learned Judge, Family Court, South East District, Saket Courts, Delhi. It is further submitted that the respondent (husband) subsequently filed a separate divorce petition bearing HMA No. 1770/2023 before the learned Judge, Family Court, West District, Tis



Hazari Courts, Delhi.

3. Learned counsel argues that, in light of Section 21A(2)(b) of the Hindu Marriage Act, 1955, the later petition must be transferred to the district court where the earlier petition was filed. Therefore, since the earlier petition was filed by the wife before the Family Court, South East District, Saket Courts, Delhi, the petition filed by the husband, HMA No. 1770/2023, should be transferred accordingly.
4. In view of the submissions made, the divorce petition bearing HMA No. 1770/2023, titled *Kunal Soni vs. Lekha Soni*, pending before the learned Judge, Family Court, West District, Tis Hazari Courts, Delhi, is hereby withdrawn and transferred to the learned Judge, Family Court, South East District, Saket Courts, Delhi, for disposal in accordance with the law.
5. Transferee Court is directed to send the entire record to the transferring Court. Copy of the order be sent to Ld. Principal Judge, Family Court, West District, Tis Hazari Courts, Delhi and Ld. Principal Judge, Family Court, South East, Saket District Courts, Delhi.
6. In view of the above, the present petition stands disposed of.

DINESH KUMAR SHARMA, J

JANUARY 13, 2025/AR/NA..