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

+ **TR.P.(C.) 95/2025 & CM APPL. 33054/2025**

ASHA

.....Petitioner

Through: **Mr. Sunil Kumar, Advocate**
(Through VC)

versus

DINESH

.....Respondent

Through: **Ms. Gupta, Advocate.**

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

27.11.2025

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1. By virtue of the present petition under *Section 24* of Code of Civil Procedure, 1908, the petitioner seeks transfer of respondent's divorce petition being HMA-439/2024 entitled "***Dinesh v. Asha***" presently pending before the learned Principal Judge, Family Court, Rohini Courts, North District, Delhi to the learned Family Court, Saket Courts, South-East District, New Delhi.

2. It is the case of the petitioner that she got married to the respondent in the year 2015, however, due to continuous cruelty inflicted upon her by the respondent, she was forced to leave her matrimonial home in 2022 and since then she has been residing in a rented accommodation near her parents' house at Tughlakabad (South-East, New Delhi). It is also her case that she being unemployed and having no income of her own, is entirely dependent upon her parents for her own sustenance as well as for her



minor nine years old son.

3. Further thereto, learned counsel for the petitioner submits that the petitioner being a lady living separately with her minor child, and that too in a rented accommodation, and she is completely dependent on her old parents residing nearby. He submits that since she is not receiving any maintenance for meeting her expenditures, she is facing additional financial burden in the form of recurring travel expenditure. Additionally, there are various litigations *inter se* parties which are already pending before the learned Saket Courts. Due to all the above, he submits that the above is taking a heavy toll on her emotionally and physically.

4. As such, learned counsel for the petitioner prays for transfer of the respondent's divorce petition.

5. Learned counsel for the respondent on the other hand objects to allowing of the present petition.

6. This Court has heard learned counsel for the parties, as also have gone through the pleadings.

7. Considering the factual matrix involved, particularly, in view of the submissions made by learned counsel for the petitioner, with which this Court is in complete agreement with, as also considering that the present petition arises out of a matrimonial proceedings *inter se* the parties involving a minor child, this Court is of the considered opinion that it will be in the interest of justice as also of the parties to allow the present petition.

8. As such, the respondent's divorce petition being HMA-439/2024 entitled "***Dinesh v. Asha***" is transferred from the Court of learned Principal Judge, Family Court, Rohini Courts, North District, Delhi to the



learned Family Court, Saket Courts, South-East District, New Delhi, with a direction to commence the proceeding(s) thereof from the stage which it was before.

9. The Principal Judge, Family Court, Rohini Courts, North District, Delhi is directed to send the entire record pertaining to the respondent's divorce petition being HMA-439/2024 entitled "***Dinesh v. Asha***" to the learned Family Court, Saket, South-East District, New Delhi.

10. A copy of the present order be sent to the learned Principal District and Session Judge, Rohini Courts, North District, Delhi and learned Principal District and Sessions Judge, Saket Courts, South-East District, New Delhi for information and compliance.

11. Accordingly, the present transfer petition is allowed and disposed of.

SAURABH BANERJEE, J

NOVEMBER 27, 2025

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