

S. B. Civil Transfer Petition No. 9/2004

Smt. Mann Kanwar Solanki

VS.

Manish Solanki

DATE OF ORDER : - 29.7.2004

HON'BLE MR. PRAKASH TATIA, J.

Mr. Arjun Purohit, for the petitioner.  
None present for the respondent.

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None present even after service..

Heard learned counsel for the petitioner.

The petitioner submitted this application under Section 24 CPC seeking transfer of the divorce petition filed by the non-petitioner under Section 13 of the Hindu Marriage Act, which is pending in the Family Court, Kota. Learned counsel for the petitioner, submits that petitioner is a young girl of the age of 29 years only and she is residing at Jodhpur. She cannot travel to attend the court at Kota, which is about 500 Kms away from the place of residence of the petitioner.

In view of the facts mentioned in the transfer petition and in view of the fact that even the non-petitioner has no serious objection in case the non-petitioner's divorce petition is transferred to the Family Court, Jodhpur as he did not appear and object to it. Otherwise also it will be unjust to direct the petitioner to attend the court situated at 500 Kms away from the place

of residence of the petitioner. Hence, the transfer petition deserves to be allowed.

Therefore, the transfer petitioner petition is allowed and it is ordered that the divorce petition no.369/2003-Manish Solanki Vs. Maan Kanwar Solani pending in the Family Court, Kota is hereby withdrawn from that court and is hereby transferred to the Family Court, Jodhpur for deciding it in accordance with law.

(Prakash Tati a), J.

c. p. goyal /-