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

CNR No. DLHC010151332025

+ **TR.P.(C.) 45/2025**

RITU GUPTA

.....Petitioner

Through: **Mr. Vaibhav Vats, Adv.**
(DHCLSC)

versus

MANISH GUPTA

.....Respondent

Through: **Ms. Abha Kulshreshtha, Adv.**

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

07.08.2026

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1. The present Petition seeks transfer of the Petition bearing number HMA No. 1640/2024 pending before the learned Family Court, Central District, Tis Hazari Courts, New Delhi [**“learned Tis Hazari Courts”**], to the learned Family Court, South West District, Dwarka Courts, New Delhi [**“learned Dwarka Courts”**] and its consolidation with MT. 659/2019 pending before the learned Dwarka Courts.

2. The present Petition is premised on the grounds that the Petitioner is the sole caregiver of her two minor daughters and that the maintenance to the tune of only a paltry sum of Rs. 7,500/- per month, in aggregate, has been awarded in her favour.

3. It is further submitted that the Petitioner resides at the property bearing House No. C-22/8, Street – 9, Sadh Nagar, Palam Colony, New Delhi, which is in close proximity to the learned Dwarka Courts.



It is also submitted that the proceedings being MT. 659/2019, under Section 125 of the Code of Criminal Procedure, 1973 [“**Cr.P.C.**”], are pending before the learned Dwarka Courts, having been instituted in the year 2019, prior to the institution of the proceedings being HMA No. 1640/2024, under the Hindu Marriage Act, 1955 [“**HMA**”], which came to be instituted in the year 2024.

4. Learned counsel submits that, having regard to the Petitioner's limited financial means, it is not financially feasible for her to prosecute the proceedings before the learned Tis Hazari Courts. It is, therefore, contended that since the connected proceedings, as mentioned above, are already pending before the learned Dwarka Courts and the Petitioner resides in the vicinity thereof, the proceedings in question deserve to be transferred to the learned Dwarka Courts and consolidated with MT. 659/2019.

5. **Per contra**, learned counsel appearing on behalf of the Respondent submits that the petition being HMA No. 1640/2024 are independent in nature and the Petitioner's presence before the learned Tis Hazari Courts would primarily be required only for the purpose of her cross-examination. It is further submitted that the proceedings can otherwise be effectively conducted by her counsel without requiring her regular physical presence.

6. I have heard learned counsel for the parties at length and perused the material placed on record.

7. Having considered the submissions advanced, this Court is of the considered view that the Petitioner is not in a sound financial position and is the sole caregiver of her two minor daughters. Having regard to the distance between Palam and the learned Tis Hazari Courts, the inconvenience that would be caused to the Petitioner in



attending the proceedings, and the fact that connected proceedings i.e., MT. 659/2019, under Section 125 Cr.P.C., are already pending before the learned Dwarka Courts, the ends of justice would be served by allowing the present Petition.

8. Accordingly, the present Petition is allowed. The Petition bearing number HMA No. 1640/2024, pending before the learned Family Court, Central District, Tis Hazari Courts, New Delhi shall stand transferred to the learned Family Court, South West District, Dwarka Courts, New Delhi and shall be consolidated with MT. 659/2019 pending before the learned Family Court, Dwarka District, New Delhi.

9. The Petition stands disposed of in the above terms.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 07, 2026/rk/ma