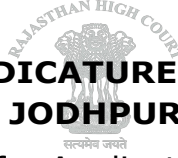




**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**



S.B. Civil Transfer Application No. 90/2022

Sharda Devi D/o Sanwal Ram, W/o Nathmal, Ro Village Ren,
Aged About 56 Years, R/o Tehsil Merta, District Nagaur (Raj.)

-----Petitioner

Versus

Nathmal S/o Shri Rampal, Aged About 60 Years, R/o Village Ren,
Tehsil Merta, District Nagaur. At Present Residing At Plot No. 8,
TC Malini Nagar, KN 1743/01, Naya Nagar, Byawar District Ajmer
(Raj.).

-----Respondent

For Petitioner(s)	:	Mr. Dinesh Jyani
For Respondent(s)	:	Mr. Krishna Gopal Khatri, through VC

HON'BLE MS. JUSTICE REKHA BORANA

Order

11/02/2026

1. The present transfer application has been filed with a prayer for transferring Family Main Case No. 202/2021 (Nathmal Vs. Smt. Sharda) as filed by the respondent under Section 13 of the Hindu Marriage Act, 1955 (hereinafter referred to as 'the Act of 1955') pending before the Court of Additional District Judge No.1, Beawar (Ajmer) to the Court at Merta, Nagaur.
2. It has been submitted by Counsel for the applicant that the applicant is an old lady and because of the distance between Beawar to Merta, it is practically impossible for her to frequently travel from Merta to Beawar and hence, the application under Section 13 of the Act of 1955 be transferred to Merta.



3. Vide order dated 23.09.2025, the Court directed Counsel for both the parties to furnish a list of matters pending between the parties.

4. From a perusal of the documents as placed on record by both the Counsel, it is evident that application under Section 24 of the Act of 1955 as well as a suit for cancellation of gift deed were filed by the applicant herself at Beawar, which remains pending as of date. Even two criminal cases between the parties remain pending adjudication at Beawar.

5. In view of the above, when the applicant herself has initiated certain proceedings at Beawar and is even appearing in the same, transfer of one matter to Merta would be of no consequence. It is not the case that no matter is pending at Beawar and the applicant is required to travel to Beawar only for the present matter pertaining to Section 13 of the Act of 1955 as filed by the respondent.

6. Herein, it is evident that several litigations are pending between the parties both at Beawar and Merta and both of them are contesting the same.

7. So far as the petitioner being old is concerned, even the respondent is a Senior Citizen and so the petitioner cannot claim any extra lineancy.

8. But then, keeping into consideration the fact that the respondent is a retired employee and is earning a Regular Pension, the applicant would be entitled to costs & expenses for each date she is required to attend the proceedings at Beawar. If the applicant moves an appropriate application for the same before the Court at Beawar, the learned Court shall be under an



obligation to pass appropriate orders on the same, keeping into consideration all the relevant aspects.

9. The present transfer application is hence **disposed of** with the above directions.

10. Stay application also stands **disposed of**.

(REKHA BORANA),J

1-Mak/-