

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Civil Transfer Application No. 96/2026
CNR: RJHC010392722026
URN: CTA / 254U / 2026

Pooja W/o Aasish, Aged About 26 Years, D/o Ramniwas, R/o Deidas, Tehsil Nohar, Dist. Hanumangarh (Raj).

-----Petitioner

Versus

Aashish Kumar S/o Ramnarayan, R/o Naivala Tibbi, District Hanumangarh, Raj.

-----Respondent

For Petitioner(s)	:	Mr. Vinod Kumar Sihag
For Respondent(s)	:	

HON'BLE MR. JUSTICE FARJAND ALI
Order

13/07/2026

1. By way of filing the instant transfer application under Section 24(1) of the CPC, the petitioner, wife of the respondent, seeks transfer of Case No.372/2024 titled as "Aashish Kumar Vs. Pooja", currently pending before the Family Court, Hanumangarh to learned Additional District Judge No.1, Nohar, District Hanumangarh.
2. Learned counsel for the petitioner submitted that the marriage between the parties was solemnized on 18.02.2022 according to Hindu rites and customs. It is contended that the petitioner is presently residing at Nohar and proceedings under Section 9 of the Hindu Marriage Act are pending before learned Family Court, Hanumangarh. It is further submitted that the petitioner is an unemployed woman and she has also filed a case under Section 13(i)(iA) of Hindu Marriage Act which is pending

before the Court of learned Additional District Judge No.1, Nohar. Learned counsel further submits that there is no suitable companion available to accompany the petitioner during travel and it is extremely difficult for her to travel approximately 80-90 kms on each and every date of hearing to attend the proceedings initiated by the respondent at Hanumangarh. Therefore, it is prayed that the said case be transferred from Hanumangarh to Nohar for the convenience of the petitioner.

3. Despite service of notice upon the respondent, none appeared on his behalf.

4. Heard the learned counsel for the applicant and meticulously perused the record.

5. The Hon'ble Supreme Court in **Vinisha Jitesh Tolani @ Manmeet Laghmani v. Jitesh Kishore Tolani, 2010 (1) WLC (SC) 705**, has held that in matrimonial disputes instituted by the husband against the wife, the court must consider the convenience of the wife in contesting the proceedings. Consequently, matrimonial matters ought to be adjudicated at a forum proximate to the wife's residence to minimize undue hardship.

6. Having regard to the aforementioned judicial pronouncement, the facts and circumstances of the present case, and the cogent grounds advanced in the transfer petition, this Court finds it just and expedient to allow the petition. Accordingly, Civil Case No.372/2024 titled as "Aashish Kumar Vs. Pooja", currently pending before the Family Court, Hanumangarh is

hereby ordered to be transferred to the Court of learned Additional District Judge No.1, Nohar, District Hanumangarh for adjudication.

7. The Judge, Family Court, Hanumangarh is directed to transmit the entire case record forthwith to the Court of learned Additional District Judge No.1, Nohar, District Hanumangarh. Additionally, he is further instructed to compile and list all matrimonial and related cases pending, if any, between the parties before the said court, both on the date of transfer and thereafter, to facilitate consolidated and efficient disposal.

8. It is further directed that the proceedings under Section 13(i) (iA) of Hindu Marriage Act titled as "Pooja Vs. Ashish", pending before the learned Additional District Judge No.1, Nohar and the transferred case shall, as far as possible, be fixed on the same dates so that no inconvenience is caused to either of the parties. Such cases shall be proceeded simultaneously but separately.

9. Apart from that, it is further directed that if any other litigation pertaining to the matrimonial dispute between the parties is pending before any competent court at Hanumangarh, the concerned courts shall endeavour to fix the matters on the same dates, as far as possible.

10. The transfer petition is allowed in these terms.

11. The application for stay and any other pending applications filed in the instant matter, stand disposed of.

(FARJAND ALI),J