

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

S.B. Civil Transfer Appl. No. 165/2024

Smt. Rajshree Jodha W/o Mohit Chauhan, Aged About 37 Years,
D/o Late Shree Ratan Singh Ji R/o Adarash Nagar, Ambedkar
Circle, Pali Marwar Raj. Presently Residing Care Of Yogendra
Singh Ranawat, House No. 220 Hanwatn A , Bjs Colony, Jodhpur,
Raj.

-----Petitioner

Versus

Mohit Chouhan S/o Late Shree Ramprakash Singh Chouhan,
Aged About 39 Years, R/o Flat No. 1001, K.h. 16/1, The
Destination Dhavasr, Gandhi Path West, Jaipur, Raj.

-----Respondent

For Petitioner(s)	:	Mr. Dileep Singh Bhaghela
For Respondent(s)	:	-

HON'BLE MR. JUSTICE FARJAND ALI

Order

26/08/2025

1. By way of filing the instant transfer application under Section 24 of the CPC, the petitioner, wife of the respondent, seeks transfer of Civil Original Case No.355/2023, currently pending before the Family Court No.3, Jaipur Metropolitan to the Family Court, Jodhpur.
2. Learned counsel for the petitioner submitted that the respondent has filed a suit for divorce before the Family Court No.3, Jaipur Metropolitan. It is contended that the petitioner is presently residing with her parents at Jodhpur. It is very difficult for her to travel approximately 300 kms on each and every date of hearing to attend the proceeding

initiated by the respondent at Jaipur and there is no other member in the family to come with the applicant to attend the dates of hearing. Therefore, it is prayed that the said case be transferred from Jaipur Metropolitan to Jodhpur for the convenience of the applicant.

3. As per office report, notice upon the respondent has been served but no one 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 Original Case No.355/2023, currently pending before the Family Court No.3, Jaipur Metropolitan, District Jaipur is hereby ordered to be transferred to the Family Court, Jodhpur for adjudication.

7. The Judge, Family Court No.3, Jaipur Metropolitan is directed to transmit the entire case record forthwith to the Court of the Family Court, Jodhpur. 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 if any case relating to the matrimonial dispute between the present parties is pending before any court in Jodhpur, the Presiding Officer of the said court shall fix hearing of the said case on the same date when the transferred case is posted so that no inconvenience is caused to any of the parties. Such cases shall be proceeded simultaneously but separately.
9. The transfer petition is allowed in these terms.
10. The application for stay and any other pending applications filed in the instant matter, stand disposed of.

(FARJAND ALI),J