

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

S.B. Civil Transfer Application No. 271/2025

Smt. Pooja W/o Jaswant Singh, Aged About 25 Years, D/o Shri Jhandu Singh, R/o-Baldevnagar, Barmer, Rajasthan.

-----Petitioner

Versus

Jaswant Singh S/o Babulal Sodha, Baldev Nagar, Barmer, Rajasthan At Present Plot No. C- 307, Rudraksh-1, Ashadeep Apartment Jagatpura, Jaipur.

-----Respondent

For Petitioner(s)	:	Mr. RS Shekhwat
For Respondent(s)	:	--

HON'BLE MR. JUSTICE FARJAND ALI

Order

08/05/2026

1. By way of the instant transfer application, the petitioner, wife of the respondent, seeks transfer of Civil Misc. Case No.721/2024, currently pending before the learned Additional District and Sessions Judge No.10, Sanganer, Jaipur Metro I, Jaipur (hereinafter to be referred as "Court X") to the court of learned Family Court, Additional District Judge, Barmer (hereinafter to be referred as "Court Y").
2. Learned counsel for the petitioner submitted that the respondent has instituted proceedings under Section 13 of Hindu Marriage Act before Court X. It is contended that the petitioner is not in a position to attend the proceedings at Jaipur on a regular basis. Furthermore, it is extremely difficult for her to travel a long distance of approximately 530 kilometres for each hearing. Therefore, it is respectfully

prayed that the said case be transferred from Court X to Court Y for the convenience of the applicant.

3. As per office report, notice upon the respondent has been served but no one appeared.
4. Having heard the learned counsel for the applicant and meticulously perused the record.

4.1. 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.

5. 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 Misc. Case No.721/2024, currently pending before the Court X, is hereby ordered to be transferred to the Court Y, for adjudication.

5.1. The learned Judge, Court X, is directed to transmit the entire case record forthwith to the Court of the learned Judge, Court Y. Additionally, he is further instructed to compile and list all matrimonial and related cases pending, if any, between the parties before the Court X, both on the

date of transfer and thereafter, to facilitate consolidated and efficient disposal.

6. In light of the above, the transfer petition is allowed. Consequently, the above mentioned case number shall proceed exclusively before the learned Family Court, Additional District Judge, Barmer.
7. The application for stay, along with any other pending applications filed in the instant matter, stand disposed of accordingly.

(FARJAND ALI),J