

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

S.B. Civil Transfer Application No. 73/2026

Mehru Nisha Alias Mehra D/o Mohammad Amin @ Mahna, Aged About 29 Years, Resident Of 3 Knj Abadi Dhani Hanumangarh Junction Khalsa Sgn School Ke Samne Linepar Tehsil And District Hanumangarh Raj.

----Petitioner

Versus

Alladitta S/o Inshaalla Kha, Resident Of Ramsinghpur Tehsil And District Sriganganagar Rajasthan

----Respondent

For Petitioner(s)	:	Mr. Kuldeep Sharma
For Respondent(s)	:	--

HON'BLE MR. JUSTICE FARJAND ALI

Order

07/05/2026

1. By way of the instant transfer application, the petitioner, wife of the respondent, seeks transfer of Civil Original Case No.75/2020, currently pending before the learned Civil Judge, Anupgarh District Sriganganagar (hereinafter to be referred as "Court X") to the court of learned Family Judge, District Hanumangarh (hereinafter to be referred as "Court Y").
2. Learned counsel for the petitioner submitted that the respondent has instituted proceedings under Section 281 of Muslim Personal Law before Court X. It is contended that the petitioner is not in a position to attend the proceedings at Sriganganagar on a regular basis. Furthermore, it is extremely difficult for her to travel a long distance of

approximately 135 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. Learned counsel for the respondent opposes the present transfer application. 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 Original Case No.75/2020, 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 Family Judge, District Hanumangarh.
7. The application for stay, along with any other pending applications filed in the instant matter, stand disposed of accordingly.

(FARJAND ALI),J