

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

S.B. Civil Transfer Application No. 287/2025

Smt. Ujala Kunwar W/o Mukesh Kumar, Aged About 32 Years, R/
o Lata Ground Beda, Bera, Tehsilbali, District Pali, Rajasthan.

-----Petitioner

Versus

Mukesh Kumar S/o Sohanlal, Aged About 34 Years, Resident of
Choudariyo Ka Bas, Aahore, Tehsil Aahore, District
Jalore, Rajasthan.

-----Respondent

For Petitioner(s) : Mr. Chandan Singh

For Respondent(s) : -

HON'BLE MR. JUSTICE FARJAND ALI

Order

08/05/2026

1. By way of filing the instant transfer petition under Section 24 of the CPC, the petitioner-wife seeks transfer of Civil Misc. Case No.19/2024 filed by the respondent-husband under Section 13 of the Hindu Marriage Act, presently pending before the Family Court, Jalore to the Court of learned Additional District Judge, Bali, District Pali.

2. Learned counsel for the petitioner submitted that the petitioner is presently residing at her parental home situated at Bera, Tehsil Bali, District Pali along with her two minor children. It is contended that the petitioner has no independent source of income and is dependent upon her parents. It is further contended that the distance between Bali and Jalore is considerable and it is extremely difficult for the petitioner to travel on each and every

date of hearing along with the children to attend the proceedings initiated by the respondent at Jalore.

3. It is also submitted that the father of the petitioner is suffering from ailments and, therefore, no male member is available to accompany the petitioner to attend the proceedings at Jalore. Learned counsel further submitted that in the prevailing circumstances, continuance of the proceedings at Jalore would cause serious inconvenience and hardship to the petitioner.

4. Heard learned counsel for the petitioner 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 proceedings instituted by the husband, while considering a transfer petition preferred by the wife, the convenience of the wife is required to be given predominant consideration.

6. Having regard to the aforesaid judicial pronouncement, the facts and circumstances of the present case and the grounds urged in the transfer petition, this Court finds it just and proper to allow the present transfer petition.

7. Accordingly, Civil Misc. Case No.19/2024 pending before the Family Court, Jalore is ordered to be transferred to the Court of learned Additional District Judge, Bali, District Pali for adjudication in accordance with law.

8. The Judge, Family Court, Jalore is directed to transmit the entire record of the aforesaid case forthwith to the Court of learned Additional District Judge, Bali, District Pali.

9. It is further directed that if any case relating to the matrimonial dispute between the parties is pending before any competent Court at Bali or District Pali, the concerned Court shall endeavour to fix the matters on the same date so that no inconvenience is caused to either of the parties. Such matters shall proceed simultaneously but separately in accordance with law.

10. The transfer petition stands allowed accordingly.

11. Stay petition and all pending applications, if any, also stand disposed of.

(FARJAND ALI),J