

S.No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	27.03.2026		<p>C24 No.95 of 2022 <u>Hon'ble Subhash Upadhyay, J.</u></p> <p>Mr. Sandeep Lamba, applicant present-in-person through V.C.</p> <p>2. Mr. Harshit Sanwal, learned counsel for the respondent.</p> <p>3. The present transfer application has been filed with the following prayers:</p> <p><i>(a) Transfer of suit for dissolution of marriage bearing no.42 of 2022 titled Smt. Priyanka Vs. Sandeep Lamba which is pending in the Court of Hon'ble Family court at Kashipur, District-Udham Singh Nagar, Uttarakhand to any Competent Court, Family Judge, in the district of Haridwar, Uttarakhand for fair and conciousable justice.</i></p> <p><i>(b) Stay the further proceedings of Divorce Case No.42 of 2022, "Smt. Priyanka Vs. Sandeep Lamba" which is pending in the Court of Hon'ble Family Court at Kashipur, District-Udham Singh Nagar, Uttarakhand otherwise the applicant/petitioner will suffer irreparable loss and injury.</i></p> <p><i>(c) To call the judicial records from concerned Ld. Judge, Family Court in order to ad-judicate the present applicant for proper finding."</i></p> <p>4. The transfer petition was filed before this Court on 25.11.2022. Counter affidavit has been filed in the said case on 21.09.2025 but no rejoinder affidavit has been filed till</p>

date.

5. In the said counter affidavit, it is mentioned that Hon'ble Apex Court has passed an order on 23.09.2022, which is enclosed as Annexure No.CA-1 to counter affidavit which reads as under:

"The present petition has been filed by the petitioner-husband seeking transfer of further proceeding in Family Case No.42 of 2022 titled as "Mrs. Priyanka vs. Mr. Sandeep Lamba" (subject-case) pending before the Family Court at Kashipur, District Udham Singh Nagar, Uttarakhand to any competent Court, Family Judge, within the jurisdiction of District and Sessions Judge, at Delhi, District South-West, Dwarka.

Heard learned counsel for the petitioner and the respondent.

It is the case of the petitioner-husband who seeks transfer of the subject case and states that the respondent-wife at present is in Delhi. He has applied for transfer of case to Court of appropriate jurisdiction in the Dwarka Court, Delhi.

Learned counsel for the respondent-wife, however, submits that she is in a transferable job and her parental place is at Kashipur, Uttarakhand.

we are of the view that the proceeding may be continued as to where it is instituted.

Accordingly, dismissed. the present transfer petition stands

Pending application(s), if any, shall stand disposed of.

There shall be no order as to

costs.”

6. Learned counsel for the respondent submits that the order passed by the Hon'ble Apex Court was deliberately not enclosed with the transfer petition nor there is any mention of the fact that the transfer petition was filed before Hon'ble Apex Court.

7. Learned counsel for the applicant seeks a week's time to file rejoinder affidavit to the counter affidavit filed by the respondent. He shall also clarify as to why the order passed by the Hon'ble Apex Court on 23.09.2022 was not brought on record at the time when the present transfer petition was filed.

8. List this case on 10.04.2026 after fresh.

(Subhash Upadhyay, J.)

27.03.2026

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