

(2014) 01 DEL CK 0197

Delhi High Court

Case No: Tr. P. (C) No. 67/2013 and CM 12156 of 2013

Manju Sabharwal

APPELLANT

Vs

Arun Sabharwal

RESPONDENT

Date of Decision: Jan. 30, 2014**Acts Referred:**

- Civil Procedure Code, 1908 (CPC) - Section 24

Citation: (2014) ACJ 2248 : (2014) 208 DLT 372 : (2014) 1 DMC 812**Hon'ble Judges:** Valmiki J. Mehta, J**Bench:** Single Bench**Advocate:** Rohan Garg, Advocate for the Appellant**Final Decision:** Dismissed

Judgement

Valmiki J Mehta, J.

This is a petition u/s 24, CPC to transfer two cases which are pending in Tis Hazari Courts since 2006-2007 being divorce cases filed by both the parties against each other to the Courts at Saket. The only ground pleaded is the factum that the Courts at Saket being nearer to the residence of the petitioner than the Courts at Tis Hazari where presently the cases are pending.

2. At the time of bifurcation of Delhi into nine Districts and re-allocation of work by transfer of cases, many aspects and considerations existed, including of equal distribution of work in Courts, and which was for the benefit of the litigants so that in some Courts there are not too many cases and in other Courts there should not be less cases. Administrative decisions cannot be got upset for personal convenience.

3. Also, it is conceded before me that at the very best the petitioner would have to go to the Court once in a month and if that be so for one day in a month is not a ground to transfer the case from Tis Hazari Courts to Saket Courts. Taking that the petitioner is suffering from Parkinson's disease convenience of less travel by a few

kilometers cannot be a ground to transfer a case u/s 24, CPC.

4. I may note that there was only one District Courts originally in Delhi at Tis Hazari and merely because now there are nine District Courts, parties cannot start approaching this Court u/s 24, CPC for transfer of their cases based on convenience. In view of the above, no case is made out for exercise of powers u/s 24, CPC. Dismissed.