
Manju Sabharwal Vs Arun Sabharwal

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

Court: Delhi High Court

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.