

Smt Richa Singh vs Shri Akash Jain on 1 May, 2025

Author: Neeraj Tiwari

Bench: Neeraj Tiwari

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:69121

Court No. - 2

Case :- TRANSFER APPLICATION (CIVIL) No. - 39 of 2025

Applicant :- Smt Richa Singh

Opposite Party :- Shri Akash Jain

Counsel for Applicant :- Parvez Iqbal Ansari

Hon'ble Neeraj Tiwari, J.

1. Heard Sri Parvez Iqbal Ansari, learned counsel for the applicant and Sri Akash Jain, opposite party-in person.

2. Learned counsel for the applicant submitted that applicant is wife of opposite party and residing at Lucknow and opposite party has filed Matrimonial Petition No. 431 of 2021 before Family Court, Agra, which is around 340 kilometers away from District Lucknow, therefore, it is very difficult for her to attend the Court proceedings at District Agra on each date fixed and defend effectively. He lastly submitted that Apex Court has taken constant view that in such cases convenience of the wife has to be taken into consideration. In support of his contention, he has placed reliance upon the judgments of the Hon'ble Apex Court in the cases of Mona Aresh Goel vs. Aresh Satya Goel, (2000) 9 SCC 255, Sumita Singh vs. Kumar Sanjay and another, (2001) 10 SCC 41, Rajni Kumari v. Raghvinder Sahay alias Babu, (2011) 11 SCC 176 and Vaishali Shridhar Jagtap vs. Shridhar Vishwanath Jagtap, (2016) 14 SCC 356 respectively.

3. Sri Akash Jain, opposite party-in person has not objected the submission of learned counsel for the applicant, but submitted that direction may be issued to decide the aforesaid case expeditiously.

4. Therefore, under such facts and circumstances of the case, the transfer application is allowed. The proceeding of Matrimonial Petition No. 431 of 2021 is withdrawn from the Principal Judge, Family Court, Agra. Principal Judge, Family Court, Agra is directed to transmit the record of Matrimonial Petition No. 431 of 2021 to Principal Judge, Family Court, Lucknow within 15 days from the date of production of certified copy of this order. Thereafter, endeavour shall be made to decide the aforesaid case maximum within a period of six months as provided in Section 21-B of Hindu Marriage Act, 1955 by the Principal Judge, Family Court Lucknow or other Additional Judge as per the Rules of the Family Court.

Order Date :- 1.5.2025/ADY