

Court No. - 36

Case :- TRANSFER APPLICATION (CIVIL) No. - 638 of 2024

Applicant :- Vandana Dubey

Opposite Party :- Ankit Shukla

Counsel for Applicant :- Sushant Misra

Hon'ble Kshitij Shailendra,J.

1. Heard learned counsel for the applicant.
2. The present application has been filed seeking transfer of Case No. 603 of 2023 (Ankit Shukla vs. Vandana Dubey), under Section 13 of Hindu Marriage Act from the court of Principal Judge, Family Court, Bareilly to the competent court at Farrukhabad.
3. The transfer has been sought citing inconvenience of the applicant.
4. In view of the decisions of Supreme Court in the cases of **Rajni Kumari v. Raghvinder Sahay alias Babu**, (2011) 11 SCC 176, **Anjali Ashok Sadhwani v. Ashok Kishinchand Sadhwani**, AIR 2009 SC 1374, **Fatema v. Jafri Syed Husain (Parvez)**, AIR 2009 SC 1773, **Mona Aresh Goel vs. Aresh Satya Goel**, (2000) 9 SCC 255, **Sumita Singh vs. Kumar Sanjay and another**, (2001) 10 SCC 41 and **Vaishali Shridhar Jagtap vs. Shridhar Vishwanath Jagtap**, (2016) 14 SCC 356, prima facie case for indulgence stands made out, however, final opinion regarding transfer of the concerned case shall be made only after hearing the other side.
5. Issue notice to the opposite party. Steps be taken by ordinary post as well as by registered speed post within ten days. In case, steps are not taken, the case shall be listed under Chapter XII Rule 4 of the High Court Rules.
6. Four weeks' time is granted to the opposite party for filing counter affidavit.
7. Two weeks' time, thereafter is granted to the applicant for filing rejoinder affidavit.
8. Till the next date of listing, further proceedings of aforesaid case shall remain stayed.
9. **List this case in January, 2025 before appropriate Bench.**

Order Date :- 22.10.2024

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