

Court No. - 36

Case :- TRANSFER APPLICATION (CIVIL) No. - 980 of 2024

Applicant :- Smt Kanchan

Opposite Party :- Tigmanshu Sachan

Counsel for Applicant :- Abhishek Mishra, Harendra Yadav, Prabhat Singh

Hon'ble Kshitij Shailendra, J.

1. Heard learned counsel for the applicant.
2. The present application has been filed seeking transfer of Case No.332 of 2024 (Tigmanshu Sachan v. Smt. Kanchan), under Section 12 of Hindu Marriage Act, 1955 from Kanpur Dehat to the competent court in District Jalaun at Orai.
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(ies). 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 April, 2025 before appropriate Bench.

10. It is made clear that in case proceedings of the aforesaid case have been expedited by this Court in any other proceedings, the interim order passed in the instant transfer application shall not operate.

Order Date :- 15.1.2025

Jyotsana