

T.P.(C) No. 47 OF 2002

ITEM No.48

Court No. 5

SECTION XVIA  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Transfer Petition.(Civil) No.47/2002

SOMA DAS GUPTA

Petitioner (s)

VERSUS

SHANTASREE DAS GUPTA

Respondent (s)

( With Appln(s). for stay )

( With Office Report )

Date : 29/04/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI

HON'BLE MR. JUSTICE S.N. VARIAVA

For Petitioner (s) Mr. NR. Choudhury, Adv.  
Mr. Somnath Mukherjee, Adv.

For Respondent (s)

UPON hearing counsel the Court made the following  
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J  
.SP2

The Transfer Petition is allowed. No costs.

.SP1

(S. Thapar)  
PS to Registrar

(Kanwal Singh)  
Court Master

The signed order is placed on the file.

IN THE SUPRPEME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 47 OF 2002@@  
CC

Soma Das Gupta Petitioner

Versus

Shantasree Das Gupta Respondent

O R D E R@@  
CCCCCCCC

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J  
.SP2

The petitioner is the wife of the respondent. She filed M.A.T.Suit No.450 of 2001 before the Family Court, Jamshedpur, for judicial separation. The petitioner submits that she resides in Delhi and it is next to impossible for her to travel from Delhi to Jamshedpur to contest the case as there is nobody to support her and to escort her from Delhi to Jamshedpur. She prays that the said M.A.T. Suit No.450 of 2001 pending before the Family Court, Jamshedpur may be transferred to Delhi to a Court of competent jurisdiction.

Inspite of service of notice the respondent has not chosen to enter appearance. On the last date of hearing also none appeared and the case was adjourned to enable the respondent to enter appearance. Even today none is present for the respondent.

For the facts stated above, we order transfer of M.A.T. Suit No.450 of 2001 from Family Court Jamshedpur to

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District Judge, Delhi, who shall try the case himself or allocate it to a competent Court. The petition is accordingly allowed. No costs.

.SP1  
.....J  
(Syed Shah Mohammed Quadri

New Delhi,  
April 29, 2002  
.....J  
(S.N. Variava)