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T.P.(C) No. 131 OF 2004

ITEM No.4

Court No. 6

SECTION XVIA  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Transfer Petition (Civil) No.131/2004

RUBY VERMA Petitioner (s)

VERSUS

RAVI KANT VERMA Respondent (s)  
( With Appln(s). for stay and Office Report )

Date : 29/11/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL  
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Mr. Anel Sirohi, Adv.  
Dr.(Mrs.) Vipin Gupta, Adv.

For Respondent (s)Mr. Bahar U. Barqui, Adv.  
Mr. Alamgir, Adv.  
for Mr. Rauf Rahim, Adv.

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

The transfer petition is allowed in terms of the signed order.

Sarita (Shelly Sengupta)  
Court Master

(Signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 131 OF 2004

RUBY VERMA ... PETITIONER

VERSUS

RAVI KANT VERMA ... RESPONDENT

O R D E R

This petition is filed by the wife seeking transfer of HMA No.77/2003 titled as Ravikant Verma vs. Smt. Ruby Verma from the Court of District Judge, Faridabad (Haryana) to the District Court, Delhi on the grounds that the petitioner has got threat to her life if she goes to attend the court proceedings at Faridabad; she has a male child of 1½ year who needs constant medical attendance as he is sick; and that it is difficult for her to travel alone from Delhi to Faridabad, that too leaving the child at Delhi.

This transfer petition is resisted by the respondent-husband saying that the allegation made by the petitioner as to the threat to her life is baseless, rather he has a threat to his life if he attends the court proceedings at Delhi; and that neither the sickness

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of the child is mentioned in the grounds nor there is a threat to her life.

Having considered the respective contentions and the grounds for seeking transfer, we are satisfied that in the given facts and circumstances, this petition is to be allowed, particularly, having regard to the illness of the 1½ year old minor child of the petitioner who needs constant medical attendance.

The transfer petition is, accordingly, allowed. The HMA No.77/2003 titled as Ravikant Verma vs. Smt. Ruby Verma stands transferred from the Court of District Judge, Faridabad, Haryana to the District court, Delhi who can try the case himself or make it over to the competent court having jurisdiction at Delhi.

.....J.  
[ SHIVARAJ V. PATIL ]

.....J.  
[ B.N. SRIKRISHNA ]  
New Delhi,  
November 29, 2004.