

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

Transfer Petition (Civil) No 83 of 2023

Goldie Sharma

... Petitioner

Versus

Vaishnavi Prabhakaran

... Respondent

W I T H

Transfer Petition (Civil) No 2419 of 2022

O R D E R

Transfer Petition (Civil) No 83 of 2023

- 1 There is no reason to transfer the petition which has been instituted by the respondent for divorce from the District Court, Bangaluru Rural to the Family Court at Bandra, Mumbai. This is particularly since the respondent has two minor children with her in Bangaluru.
- 2 By an interim order dated 27 January 2023, the petitioner was granted access to the children through the video conferencing mode on Saturdays and Sundays at 4 pm. The duration, it was agreed, shall be of thirty minutes on each occasion, subject to extension on mutually acceptable terms.

- 3 In order to enable the petitioner to have continued access to children, we continue the arrangement which was made in the order dated 27 January 2023. However, it would be open to any of the parties to apply before the competent court either for enhanced or modified terms of access.
- 4 Subject to the aforesaid, the transfer petition is dismissed.
- 5 Pending applications, if any, stand disposed of.

Transfer Petition (Civil) No 2419 of 2022

- 1 This transfer petition has been filed by the petitioner-wife for transfer of MJ Petition No D-10/2022 tilted as "*Mr Goldie Sharma vs Mrs Vaishnavi Prabhakaran*" from the Family Court, Bandra, Mumbai to the court of Additional Senior Civil Judge, Bangalore Rural District, Bengaluru.
- 2 We have heard counsel for the parties.
- 3 Having regard to the interests of justice, we are of the view that an order for the transfer of the proceedings is warranted. We accordingly allow the transfer petition and direct that MJ Petition No D-10/2022 tilted as "*Mr Goldie Sharma vs Mrs Vaishnavi Prabhakaran*" be transferred from the Family Court, Bandra, Mumbai to the court of Additional Senior Civil Judge, Bangalore Rural District, Bengaluru
- 4 The transferor court shall forthwith transmit the record of the aforesaid case to the transferee court.
- 5 After transfer of the petition, the transferee court is directed to make all endeavour either for amicable settlement or for early decision in the matter without unnecessary adjournments.

- 6 The respondent would be at liberty to participate in the proceedings before the Family Court through the video conferencing platform.
- 7 Pending applications, if any, stand disposed of.

.....CJI.
[Dr Dhananjaya Y Chandrachud]

.....J.
[K M Joseph]

.....J.
[Pamidighantam Sri Narasimha]

New Delhi;
May 19, 2023
CKB

ITEM NO.4

COURT NO.1

SECTION XVI-A

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.83/2023

GOLDIE SHARMA

Petitioner(s)

VERSUS

VAISHNAVI PRABHAKARAN

Respondent(s)

(With IA No.7175/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 7028/2023 - EX-PARTE STAY, IA No.7030/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.59125/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 7034/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH T.P.(C) No.2419/2022 (XVI-A)

(With IA No. 42673/2023 - APPLICATION FOR PERMISSION, IA No. 2353/2023 - APPLICATION FOR PERMISSION, IA No.2351/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.162184/2022 - STAY APPLICATION)

Date : 19-05-2023 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K.M. JOSEPH
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s)

Mr. Somanatha Padhan, AOR

Mr. Adab Singh Kapoor, AOR

For Respondent(s)

Mr. Adab Singh Kapoor, AOR

Mr. Somanatha Padhan, AOR

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

Transfer Petition (Civil) No 83 of 2023

- 1 The transfer petition is dismissed in terms of the signed order.
- 2 Pending applications, if any, stand disposed of.

Transfer Petition (Civil) No 2419 of 2022

- 1 The transfer petition is allowed in terms of the signed order.
- 2 Pending applications, if any, stand disposed of.

**(CHETAN KUMAR)
A.R. -cum-P.S.**

**(SAROJ KUMARI GAUR)
Assistant Registrar**

(Signed order is placed on the file)