

T.P.(C) No. 100 OF 2003
ITEM No.204

Court No. 4

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.100/2003

ANJU

Petitioner (s)

VERSUS

PRAMOD KUMAR
(With Appln(s). for stay)
(For Final Disposal)

Respondent (s)

With

T.P.(Crl.) No.122/2004
(With appln. for stay and office report)

Date : 15/04/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. Deba Prasad Mukherjee,Adv.
In TP(C) 100/03Miss Nandini Mukherjee, Adv.

For Petitioner (s)Dr. (Mrs.) Vipin Gupta, Adv.
in TP(Crl.) 122/04Mr. R.M. Sharma, Adv.

For Respondent (s)Dr. (Mrs.)Vipin Gupta, Adv.
in TP(C) 100/03Mr. R.M. Sharma, Adv.

in TP(crl.) 122/04Mr. Deba Prasad Mukherjee, Adv.
Miss Nandini Mukherjee, Adv.

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

The Transfer petitions stand disposed of in terms of the signed order.

(K.K. Chawla)
Court Master

(Vijay Dhawan)
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL/CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.100 OF 2003

ANJU Petitioner (s)

VERSUS

PRAMOD KUMAR Respondent (s)

WITH

TRANSFER PETITION (CRIMINAL) NO.122 OF 2004

PRAMOD KUMAR Petitioner (s)

VERSUS

ANJU SONKAR Respondent (s)

O R D E R

These two counter Transfer Petitions have been filed one by the wife and the second by the husband.

Transfer Petition No.100 of 2003 has been filed by the wife for transfer of Case being HMP No. 560 of 2002 titled Promod Kumar Vs. Smt. Anju from the Family Court, Agra, U.P. to the Family Court Nainital, Uttaranchal whereas Transfer Petition (Criminal) No.122 of 2004 has been filed by the husband for transfer of Case No.112 of 2002 titled Anju Vs. Pramod Kumar from the Family Court, Nainital (Uttaranchal) to the Family Court at Agra.

In our view, looking to the facts and circumstances of the case it will be equitable if the aforesaid cases are tried at one place. As both parties have expressed apprehension to go to the other place, it would be appropriate if the cases are tried at a neutral place. We, therefore, transfer the above-mentioned cases to the District Judge at Bareilly (U.P.) who shall assign them to an appropriate Court. With these directions, the Transfer petitions stand disposed of.

.....J.
(S.N. Variava)

.....J.
(D.M. Dharmadhikari)
New Delhi,
15th April, 2005.