

T.P.(C) No. 78 OF 2003

ITEM No.25

Court No.10

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.78 of 2003

ANITA SINGH

Petitioner (s)

VERSUS

SATISH KUMAR SINGH & ORS.

Respondent (s)

(With appln(s). for stay and office report)

Date : 25/07/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. Rudreshwar Singh,Adv.
Mr. Tapesesh Kumar Singh,Adv.
Mr. Shishir Pinaki,Adv.
Ms. Kumud Lata Das,Adv.

For Respondent (s)Mr. H.L. Agrawal,Sr.Adv.
Mr. Saurab Agrawal,Adv.
Dr. Kailash Chand,Adv.

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

Heard learned counsel for the parties for a while.

The transfer petition is allowed.

No costs.

[T.I. Rajput][Shelly Sengupta]
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 78 OF 2003

Anita Singh ...Petitioner(s)

Versus

Satish Kumar Singh & Ors. ...Respondent(s)

O R D E R

Heard the learned counsel for the parties.

This petition is by the wife seeking transfer of Matrimonial Suit No. 374 of 2001, titled as Satish Kumar Singh vs. Anita Singh & Ors., pending before the Family Court, Gorakhpur, Uttar Pradesh to the Family Court, Vaishali, Bihar, on the ground that she is an unemployed lady with a minor child and even her father is no more; it is difficult for her to travel alone to attend to the case leaving the minor child and to incur expenses for travel and stay.

The respondent-husband is employed. The distance between the two places, Gorakhpur, where the case is pending, and Vaishali, where it is sought to be transferred, can be covered in three hours. Under the circumstances, we consider it just and appropriate to order the petition, as prayed for.

...2/-

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Accordingly, the transfer petition is allowed and Matrimonial Suit No. 374 of 2001, titled as Satish Kumar Singh vs. Anita Singh & Ors., pending before the Family Court, Gorakhpur, Uttar Pradesh shall stand transferred to the Family Court, Vaishali, Bihar. The court at Vaishali, Bihar, shall try to dispose of the case as expeditiously as possible keeping in view also the old cases of similar nature pending before it.

No costs.

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

.....J.
[D.M. DHARMADHIKARI]

New Delhi,
July 25, 2003.