

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) NO.71 OF 2013

Khushboo Kothari

..Petitioner

versus

Rohit Kothari

..Respondent

O R D E R

In this petition, the petitioner has prayed for transfer of Divorce Petition Case No. F.C(Civil) 814 of 2012 filed by the respondent which is pending before the Family Court at Kamrup, Guwahati to the Family Court at Bankshall Court, Kolkata, West Bengal.

The petitioner has sought transfer mainly on the ground of her inability to travel from Kolkatta to Guwahati for contesting the petition filed by the respondent because she has undergone kidney transplantation operation. The petitioner has averred that she does not have any regular source of income and she has to depend on her parents for financial help.

The respondent is neither represented nor filed counter affidavit to controvert the assertions made by the petitioner about her medical and financial conditions.

In view of the above, the transfer petition is allowed and Divorce Petition Case No. F.C(Civil) 814 of 2012 titled Rohit Kothari v. Khushboo Kothari, pending before the Family Court at Kamrup, Guwahati is transferred to the Family Court at Bankshall Court, Kolkata, West Bengal for being decided on merits in accordance with law.

.....J.
[G.S. Singhvi]

New Delhi;
March 15, 2013

.....J.
[Kurian Joseph]

ITEM NO.7

COURT NO.3

SECTION XVIA

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(s). 71 OF 2013

KHUSHBOO KOTHARI

Petitioner(s)

VERSUS

ROHIT KOTHARI

Respondent(s)

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

Date: 15/03/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr. Hitendra Nath rath, Adv.

For Respondent(s) None

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

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

| (Parveen Kr.Chawla)
| Court Master
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| | (Phoolan Wati Arora)
| | Court Master
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[signed order is placed on the file]