

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). 122 OF 2004

REKHA MISHRA KAUSHIK

Petitioner(s)

VERSUS

AJAY KUMAR KAUSHIK

Respondent(s)

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

Date: 27/02/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s)

Mr. S. Muralidhar, Adv.

For Respondent(s) Mr. Dushyant A. Dave, Sr. Adv.

Mr. S.Uday Kumar Sagar, Adv.
Ms. BinaMadhavan, Adv. for
M/S. Lawyer'S Knit & Co, Adv.

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

The Transfer Petition is allowed.

(Parveen Kr. Chawla)
Court Master

(Kanwal Singh)
Court Master

[Signed Order is placed on the File]

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

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RANSFER PETITION(C) NO.122 OF 2004

REKHA MISHRA KAUSHIK

..PETITIONER

VERSUS

O R D E R

Petitioner-wife has moved this petition under Section 25 of the Code of Civil Procedure seeking transfer of HMP No. 383 of 2003 titled Ajay Kumar Kaushik vs. Rekha Mishra Kaushik pending before the Family Court, Ahmedabad to a court of appropriate jurisdiction at Delhi.

On 12.9.2005, counsel for the parties have jointly stated that progress has been made towards settlement of the dispute and sought some time for the final outcome of the settlement. Counsel today states that compromise talks have failed.

After taking into consideration the averments made in the petition, counter affidavit and rejoinder affidavit and looking to the convenience of the wife-petitioner and without going into the allegations and counter allegations, we deem it appropriate to transfer HMP No. 383 of 2003 titled Ajay Kumar Kaushik vs. Rekha Mishra Kaushik pending before the Family Court, Ahmedabad to the District Judge, Delhi.

The Family Court at Ahmedabad is directed to transmit the entire record related to the above-said case forthwith to the District Judge, Delhi who on receipt of the same may either hear it himself or assign it to a court of competent jurisdiction.

The Transfer Petition is allowed accordingly.

.....J.

[Ashok Bhan]

New Delhi;

.....J.

February 27, 2006.

[Lokeshwar Singh Pantala]