

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). 142 OF 2005

SAVITA SINGH

Petitioner(s)

VERSUS

MANOJ KUMAR SINGH

Respondent(s)

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

with

Transfer Petition (Criminal) no.69/2005

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

Date: 25/08/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s)

Mr. Ghan Shyam Vasisht,Adv.

Mr. Om Prakash Mishra, Adv.

For Respondent(s) Mr. Arun Bhardwaj, Adv.

Mr. Saurabh S. Shamsbery, Adv.

Mr. Vijaiendra Nigam, Adv.

Mr. Gyanendra Singh, Adv.

Dr. Kailash Chand,Adv.

UPON hearing counsel the Court made the following

O R D E R

O R D E R

These transfer petitions have been filed by the wife for transfer of

Petition Nos.300 of 2004 titled as "Shri Manoj Kumar Singh v. Mrs . Savita

Singh" from the Court of Shri Mallekhi, Family Court, Dehradun, Uttaranchal

to a Court of competent jurisdiction being the Court of District Judge, Rampur,

Uttar Pradesh and Criminal Case arising out of FIR No.75 of 2004 titled as

"State v. Manoj Kumar Singh & Ors." pending in the Court of Shri C.M. D.

Danish, Judicial Magistrate, C.B.I., Dehradun, Uttaranchal to a Court of

competent jurisdiction being the Court of Chief Judicial Magistrate, Rampur,

Uttar Pradesh.

The grounds taken in the transfer petitions are that the Petitioner is an unemployed lady of about 29 years. She is completely dependent upon her father. There is no one else to support the Petitioner. She has further claimed that she has no other known person or relative staying at Dehradun and would accordingly have to incur additional expenses for her stay and journey and other expenses to defend her cases.

In our view, no ground for transfer has been made out at all. We,

however, direct that the Respondent-husband shall pay on every occasion when

the Petitioner is required to attend the Court at Dehradun, Uttaranchal, the

travel and stay expenses for herself and a companion. The trial court shall ensure

that the said payment is made on each and every occasion. With these directions,
the transfer petitions stand disposed of.

.....J.

(S.N. Variava)

.....J.

(Tarun Chatterjee)

New Delhi;

August 25, 2005.