

## IN THE SUPREME COURT OF INDIA

## CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 145 OF 2013

SHIKHA PACHRAIYA

PETITIONER(s)

VERSUS

MANOJ KUMAR PACHRAIYA

RESPONDENT(s)

O R D E R

This is wife's petition for transfer of matrimonial case being Case No. 375A of 2010, titled as "Manoj Kumar Pachraiya vs. Shikha Pachraiya", from the Family Court, Durg, Chhattisgarh to the court of Additional District Judge, Yavatmat at Pusad, Maharashtra.

2. The respondent has been served and he has filed counter-affidavit in opposition to the transfer petition.

3. We have perused the averments made in the transfer petition and the counter-affidavit.

4. Having regard to the fact that the petitioner-wife is residing in District Yavatmal (Maharashtra), we are satisfied that greater hardship shall be caused to her in case the proceedings in the above matrimonial case are allowed to be continued at Durg, (Chhattisgarh).

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5. We, accordingly, allow the transfer petition and transfer Case No. 375A of 2010, titled as "Manoj Kumar Pachraiya vs. Shikha Pachraiya", from the Family Court, Durg, Chhattisgarh to the court of Principal District Judge, Yavatmat, Maharashtra. It will be open to the Principal District Judge, Yavatmat to transfer the above matrimonial case within his jurisdiction to the competent court. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

6. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible. The parties are directed to co-operate with the transferee court in expeditious disposal of the matrimonial case.

7. No costs.

.....J.  
( R.M. LODHA )

