

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). 138 OF 2005

ROMI ANSHUMAN BANERJEE

Petitioner(s)

VERSUS

ANSHUMAN R. BANERJEE

Respondent(s)

(With appln(s) for stay,modification of Court's Order dated 19.1.2007 and and office report)

WITH T.P.(C) NO. 46 of 2007

(With appln. for stay and office report)

Date: 13/04/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Mr.Vivek Sharma, Adv.

Ms. Jasmine Damkewala,Adv.

Mrs. Manik Karanjawala,Adv.

For Respondent(s)

Mr. T.N. Singh,Adv.

Mr.V.K.Singh, Adv.

Mr.Rohit Pandey, Adv.

Mr. Umang Tripathi, Adv.

UPON hearing counsel the Court made the following

O R D E R

T.P.(C) No.138/2005

This petition has become infructuous. It is dismissed in terms of the signed order.

T.P.(C) No. 46/2007

Transfer petition is allowed in terms of the signed order.

(Meenu Sethi)
Court Master

(Pushap Lata Bhardwaj)
Court Master

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) No. 138/2005

Romi AnshumanBanerjee ...Petitioner

Versus

Anshuman R. Banerjee ...Respondent

With

T.P.(C) No. 46/2007

ORDER

Although we are not happy in regard to the representation made before us that the application filed by the respondent for grant of decree for divorce had been decreed ex-parte which now does not appear to be correct,

but in view of the fact that the respondent's application for restitution of conjugal rights, which was the subject matter of Transfer Petition(C) No. 138/2005 has since been withdrawn, it is evident that this petition has become infructuous. It is dismissed accordingly.

Having heard learned counsel for the parties, we allow Transfer Petition(C) No. 46/2007 and direct that Petition No. 553 of 2004(titled as Dr. Anshuman R.Banerjee Vs. Dr.(Mrs.) Romi Banerjee) pending before the Family Court Varansi be transferred to the Family Court, Kalyan, District Thane, Maharashtra.

The transferee Court shall issue notice to the parties fixing a date of hearing. The transferee Court is further requested to consider the desirability of accommodating the respondent as far as possible. Transfer petition(C) No. 46/2007 is allowed.

.....J.

[S.B. SINHA]

.....

...J.

[P.K.BALASUBRAMANYAN]

New Delhi,

April 13, 2007

