

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL.) NO(s). 258 OF 2013

MEGHA NAIR

Petitioner(s)

VERSUS

MANOJ NARAYANAN NAIR

Respondent(s)

O R D E R

In this petition filed under Section 25 of the Code of Civil Procedure, the petitioner has prayed for transfer of C.M.A.No. 47 of 2012 titled Manoj Narayanan Nair vs. Megha Manoj Nair filed by the respondent, which is pending in the Court of District Judge, Nashik.

While issuing notice of the transfer petition, this Court had directed the parties to appear before the Mediation Centre of the Supreme Court to explore the possibility of an amicable settlement of their disputes.

The report sent by the Mediation Centre shows that the parties have not been able to arrive at an amicable settlement.

We have heard learned counsel for the parties and perused the record.

In our view, it will be in the interest of justice to transfer the case filed by the respondent under Section 25 of the Guardians and Wards Act, 1890 because on account of financial difficulty and her inability to travel from Palakkad, Kerala it will not be possible for the petitioner to attend the proceedings of the case at Nashik.

The transfer petition is accordingly allowed and C.M.A.No. 47 of 2012 filed by the respondent in the Court of District Judge, Nashik within the State of Maharashtra is transferred to the Court of District Judge, Palakkad, who may try the case himself or make over the same to any other Court of competent jurisdiction for being disposed of in accordance with law.

(G.S. SINGHVI) .....J.

(SUDHANSU JYOTI MUKHOPADHAYA) .....J.

NEW DELHI;  
August 08, 2013.

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MANOJ NARAYANAN NAIR

Respondent(s)

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

Date: 08/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)

Mr. Vinodh Kanna B.,AOR.

For Respondent(s)

Mr. Sajith. P,AOR.

UPON hearing counsel the Court made the following

O R D E R

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

|(Sheetal Dhingra)  
|AR-cum-PS

|(Phoolan Wati Arora)  
|Court Master

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[Signed order is placed on the file]