

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). 160 OF 2004

A.L. NAGAPRIYA

Petitioner(s)

VERSUS

SANJIV VARADARAJAN

Respondent(s)

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

Date: 11/07/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner(s)

Mrs. Kanchan Kaur Dhodi, Adv.
Mr. S. Srinivasan,Adv.

For Respondent(s) Mr. Sanjay Ghose, Adv.

Mrs. Lalit Mohini Bhat, Adv.
Ms. Anitha Shenoy,Adv.

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

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

(J.S. Rawat)
Court Master

(Kanwal Singh)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 160 OF 2004

A.L. Nagapriya

Petitioner (s)

Versus

O R D E R

Wife has filed the present petition under Section 25 of the Code of Civil Procedure, for transfer of the case bearing No. O.P. No. 63 of 2004 titled as Sanjiv v. Nagapriya, which was pending in the Family Court at Chennai, on the date of the filing of the petition in this Court, to the Court of the Principal Family Judge at Bangalore (Karnataka).

When the petition came up for hearing on 15th March, 2005, this Court issued notice and stayed further proceedings in O.P. No.63/2004.

In the counter-affidavit it has been stated that the aforesaid O.P. had been finally disposed of by the trial Court on 12th of March, 2004. i.e., prior to the passing of the interim order dated 15th March, 2004, staying further proceedings.

Since the case sought to be transferred had already been disposed of by the trial court prior to the passing of the interim order by this Court, the transfer petition has become infructuous and is dismissed as such. However, dismissal of the transfer petition will not debar the petitioner to seek remedy available to her in law against the ex parte order.

.....J.
(ASHOK BHAN)

New Delhi;
July 11, 2005.

.....J
(S.B. SINHA)