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IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL.) NO(s). 139 OF 2008

SWATI AMIT SULTANIA

Petitioner(s)

VERSUS

AMIT SULTANIA

Respondent(s)

O R D E R

This petition for transfer is filed by the wife seeking transfer of the petition filed by the husband under Section 9 of the Hindu Marriage Act, 1955 from the Family Court of Mumbai at Bandra to the District Court, Paschim Midnapur, West Bengal. The respondent though served by substituted service has not entered appearance.

The petitioner has alleged that she is not in a position to travel from her place of residence in a village in the Midnapur District, West Bengal to Mumbai and there is no one to accompany her also. She has also cited her financial difficulties as one of the reasons for seeking transfer. In the circumstances, we consider this a fit case for transfer.

We allow this petition. Petition No.A2486 of 2007 pending before the Family court Mumbai at Bandra is ordered to be transferred to the court of District Judge, Paschim Midnapore, West Bengal, who may either deal with it or assign/transfer the matter to the court of competent jurisdiction.

.....J.
[R.V. RAVEENDRAN]

.....J.
[G.S. SINGHVI]

NEW DELHI
NOVEMBER 16, 2009
ITEM NO.63

Court No.5

SECTION XVIA

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). 139 OF 2008

SWATI AMIT SULTANIA

Petitioner(s)

VERSUS

AMIT SULTANIA

Respondent(s)

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

Date: 16/11/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. Rauf Rahim Adv.
Mr. Siddhartha Chowdhury, Adv.

For Respondent(s)

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

The Transfer Petition is allowed. Petition No.A2486
of 2007 pending before the Family court Mumbai at Bandra is
ordered to be transferred to the court of District Judge,
Paschim Midnapore, West Bengal, who may either deal with it
or assign/transfer the matter to the court of competent
jurisdiction.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master

(Signed order is placed on the file.)