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T.P.(C) No. 171 OF 2003
ITEM No.24

Court No. 3

SECTION XVIA
A/N MATTER

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.171/2003

B.S. ANURADHA

Petitioner (s)

VERSUS

B. MURALI MOHAN

Respondent (s)

(With Appln(s). for stay)

Date : 30/01/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)Mr. P.S. Narasimha, Adv.
Mr. Ananga Bhattacharya, Adv.
Mr. G. Seshagiri Rao, Adv.
Mr. P. Sridhar, Adv.

For Respondent (s)Mr. Badri Nath Babu, Adv.
Mr. Rameshwar Prasad Goyal, Adv.

UPON hearing counsel the Court made the following

O R D E R

The transfer petition is allowed in terms of the signed order.
The parties through their respective counsel are directed to appear before the Court of District and Sessions Judge, Eluru, West Godavari District, Andhra Pradesh on 15th March, 2004.
No order as to the costs.

KALYANI

(KANWAL SINGH)

COURT MASTER

(SIGNED ORDER IS PLACED ON THE FILE.)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 171 OF 2003

B.S. ANURADHA

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PETITIONER (S)

VERSUS

B. MURALI MOHAN

.....

RESPONDENT (S)

O R D E R

The respondent-husband has filed a petition for dissolution of marriage by decree of nullity under Section 12 read with 5(ii)(b) of the Hindu Marriage Act being H.M.A. No. 616/2002 before the District Judge, Delhi. The wife-petitioner is residing in Eluru in the State of Andhra Pradesh and seeks transfer of the above-said proceedings from District Judge, Delhi to District and Sessions Judge, Eluru, West Godavari District, Andhra Pradesh in the State of Andhra Pradesh.

Without expressing any opinion on the allegations, which are subjudice in the main proceedings, we are of the opinion that it will be for better convenience of the parties and in the interest of justice if the proceedings are directed to be transferred from District Judge, Delhi to District and Sessions Judge, Eluru, West Godavari District, Andhra Pradesh.

Accordingly, the transfer petition is allowed. It is directed that H.M.A. No. 616/2002 titled "B. Murali Mohan Vs. B.S.Anuradha" pending in the Court of District Judge, Delhi shall stand transferred to the Court of District and Sessions Judge, Eluru, West Godavari District, Andhra Pradesh.

The District Judge at Delhi shall, soon on communication of this order, transfer the record of proceedings in H.M.A. NO. 616/2002 titled as "B. Murali Mohan Vs. B.S.Anuradha" to the Court of District Judge, Eluru, West Godavari District, Andhra Pradesh who may try the petition himself or make over the same for hearing and disposal in accordance with law to a Court of competent jurisdiction subordinate to him.

The parties through their respective counsel are directed to appear before the Court of District and Sessions Judge, Eluru, West Godavari District, Andhra Pradesh on 15th March, 2004.

No order as to the costs.

.....J
(R.C. LAHOTI)

.....J
(ASHOK BHAN)

NEW DELHI;
JANUARY 30, 2004.