

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 94 OF 2007

UMA JOSHI

Petitioner(s)

VERSUS

DAYAL JOSHI

Respondent(s)

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

Date: 22/10/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. MATHUR

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s) Mr. Mohit K. Shah, Adv.
Mr. Ravi B., Adv.
Mr. Navin Prakash, Adv.

For Respondent(s) Mr. N.L. Bareja, Adv.
Mr. Chander Shekhar Ashri, Adv.

UPON hearing counsel the Court made the following
ORDER

The transfer petition is allowed in terms of the signed order. No
order as to costs.

(Ajay Kr. Jain)
Court Master

(Vijay Dhawan)
Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C)NO. 94 OF 2007

Uma Joshi Petitioner

Versus

Dayal Joshi Respondent

ORDER

Heard learned counsel for the parties.

This is a petition filed by the petitioner-wife for transfer of matrimonial proceedings being Matrimonial (Divorce) Case No. 148/2006 titled "Dayal Joshi Vs. Uma Joshi" and a petition under Section 13 of the Hindu Marriage Act being Case No. 29/2006 titled "Uma Joshi Vs. Dayal Joshi", both pending in the Family Court at Udaipur (Rajasthan) to a Court of competent jurisdiction at Nainital, Uttrakhand.

We have heard learned counsel for the parties. Having regard to the facts and circumstances of the case, we think it just and proper to transfer the aforesaid two matrimonial cases to the District Judge, Nainital, Uttrakhand. Accordingly, it is directed that Matrimonial (Divorce) Case No. 148/2006 titled "Dayal Joshi Vs. Uma Joshi" and a petition under Section 13 of the Hindu Marriage Act being Case No. 29/2006 titled "Uma Joshi Vs. Dayal Joshi", both pending in the Family Court at Udaipur (Rajasthan) be transferred to the District Judge, Nainital, Uttrakhand, who may try the cases himself or make over the same to a Court of competent jurisdiction. Soon on communication of this order, the Court at Udaipur shall transfer the records of Matrimonial (Divorce) Case No. 148/2006 titled "Dayal Joshi Vs. Uma Joshi" and a petition under Section 13 of the Hindu Marriage Act being Case No. 29/2006 titled "Uma Joshi Vs. Dayal Joshi" to the District Judge, Nainital, Uttrakhand.

The transfer petition is allowed. No order as to costs.

J.

(A.K. MATHUR)

J.

(MARKANDEY KATJU)

New Delhi
October 22, 2007