

:
T.P.(C) No. 150 OF 2004
ITEM No.26

Court No. 1

SECTION XVIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition.(Civil) No.150/2004

SHLOK BHARDWAJ

Petitioner (s)

VERSUS

RUNIKA BHARDWAJ/TIWARI

Respondent (s)

(With Appln(s). for stay and office report)

Date : 11/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner (s)

In-Person

For Respondent (s)Mr. J.P. Sanghi, Sr. adv.
Mr. Rajendra Tiwari, Sr. Adv.
Mr. Prakash Shrivastava,Adv.

UPON hearing counsel the Court made the following

O R D E R

The transfer petition is disposed of in terms of the signed order placed on the file.
The parties are directed to appear before the Family court, Jabalpur on 4th April, 2005.

(Ajay Kr. Jain)

(Radha R. Bhatia)

Court Master

Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 150 OF 2004

Shlok Bhardwaj

....

Petitioner

Versus

Runika Bhardwaj/Tiwari

....

Respondent

O R D E R

The petitioner-husband has filed a suit for dissolution of marriage by decree of divorce. The suit was originally filed at Allahabad which was directed to be transferred by this Court to the Family Court at Jabalpur. The respondent-wife has preferred a counter-claim. She has also sought for a decree of divorce, as stated by the learned senior counsel for the respondent.

Thus, it is clear that the marriage has completely broken down and both the parties are desirous of dissolving the marriage by a decree of divorce. Without going into merits of the allegations and counter allegations made, we are satisfied that this is a fit case where the marriage between the parties deserves to be dissolved by a decree of divorce.

We direct the Family Court, Jabalpur to pass a decree of divorce on the next date of hearing.

The learned senior counsel for the respondent-wife has stated that although they have demanded a decree for payment of money also by way of counter claim but the respondent-wife does not press that claim.

The transfer petition is disposed of by directing the Family Court, Jabalpur to pass a decree for dissolution of marriage by divorce, as agreed upon between the parties (the petitioner, appearing in person and the respondent also being present in person with her counsel) before this Court today.

The parties are directed to appear before the Family Court, Jabalpur on 4th April, 2005. The Family Court, Jabalpur shall take up the hearing as appointed without entertaining any prayer for adjournment from either side.

.....CJI.
(R.C. LAHOTI)

.....J.
(G.P. MATHUR)

New Delhi
March 11, 2005