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T.P.(C) No. 222 OF 2001

ITEM No.33

Court No. 8

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.222/2001

MANJU D. KALA

Petitioner (s)

VERSUS

DILIP KALA

Respondent (s)

( With Appln(s). for stay )

Date : 29/10/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI  
HON'BLE MR. JUSTICE S.N. PHUKAN

For Petitioner (s)

Mrs. Nanita Sharma,Adv.(SCLSC)

For Respondent (s)

In person

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

.....L.....I.....T.....T.....T.....T.....T.....J.....J  
.SP2

The Transfer Petition is ordered in terms of the  
signed order. No costs.

.SP1

[Naresh Kumar]  
Court Master

[Kanwal Singh]  
Court Master

[Signed order is placed on the file.]

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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) 222 OF 2001@@  
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Manju D. Kala

... Petitioner

vs.

Dilip Kala

... Respondent

O R D E R@@  
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.SP2

The petitioner is the wife of the respondent. The respondent filed an application under Section 9 of the Hindu Marriage Act being Marriage Case No.241/2000 titled Dilip@@  
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Kala vs. Smt. Manju Kala for restitution of conjugal@@  
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rights. The petitioner submits that on account of the penury circumstances and on account of the fact that she has two little daughters who cannot be left at her parental house as the one daughter is suffering from chronic tuberculosis she seeks an order from this Court directing transfer of the said case from the Family Court at Ajmer to the Court of District Judge, Calcutta (West Bengal).

The respondent appears in person. In the counter counter affidavit filed by him the material allegation in the transfer petition have not been traversed. In the circumstances of the case we think it would be just and appropriate to direct the transfer of Marriage Case No.241/2000 titled Dilip Kala vs. Smt. Manju Kala from the@@  
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Family Court at Ajmer to the District Judge, Calcutta. Accordingly we issue a direction for transfer of the said

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case. The learned District Judge, Calcutta may try the case himself or may allot it to the competent court. The Transfer Petition is accordingly ordered. No costs.

.SP1

.....J.  
[ SYED SHAH MOHAMMED QUADRI ]

New Delhi,  
October 29, 2001.@@  
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.....J.  
[ S.N. PHUKAN ]