

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. 271 OF 2011

DURGA BHATT

Petitioner(s)

VERSUS

VIRENDRA SHAH

Respondent(s)

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

Date: 13/05/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. P.S. Narasimha, Sr. Adv.
Mr. Mirnal Bharti, Adv.
Mr. Anil Kumar Mishra, Adv.

For Respondent(s)

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

In terms of the signed order, the Transfer Petition is allowed and the case H.M.P. No.D 31/2010 titled as "Virendra Shah vs. Durga" pending on the file of Principal Judge, Family Court, Nagpur, is ordered to be transferred to the Family Court, City Civil court, Hyderabad, Andhra Pradesh.

(O.P. Sharma) (M.S.Negi)
Court Master Court Master
(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.271 OF 2011

DURGA BHATT

Petitioner

VERSUS

VIRENDRA SHAH

Respondent

O R D E R

This petition is filed by the wife seeking transfer of a case filed by the husband under Section 25 of the guardian and Wards Act, 1890 read with Section 7(g) of Family Court Act, from the Court of Principal Judge, Family Court, Nagpur, Maharashtra to the Court of Family Judge, City Civil Court, Hyderabad, Andhra Pradesh. The petitioner alleges that she is residing with her sister and two daughters aged 15 years and 12 years respectively at Hyderabad, Andhra Pradesh; that it will be difficult for her to undertake journey to Nagpur to defend her case, leaving her two young daughters in Hyderabad; that the respondent has already contested the petition for the maintenance in Hyderabad; and that the petitioner apprehends threat to her life at Nagpur.

Respondent though served has not entered appearance. On the facts and circumstances, we consider this a fit case for transfer.

Accordingly, the Transfer Petition is allowed and the case H.M.P. No.D 31/2010 titled as "Virendra Shah vs. Durga" pending on the file of Principal Judge, Family Court, Nagpur, is ordered to be transferred to the Family Court, City Civil court, Hyderabad, Andhra Pradesh.

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

NEW DELHI
MAY 13, 2011

.....J.
[A.K. PATNAIK]