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ITEM NO.59

COURT NO.2

SECTION XVIA

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(s). 274 OF 2013

MONIKA Petitioner(s)

VERSUS

RAJNEESH KAUSHIK Respondent(s)

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

Date: 28/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)

Mr. M. K. Choudhary, Adv.
Ms. Namita Choudhary, Adv.
Mr. Yudhister Bhardwaj, Adv.

For Respondent(s)

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

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

|(Nidhi Ahuja)
|Court Master

|(Saroj Saini)
|Court Master

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(Signed order is placed on the file.)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 274 OF 2013

MONIKA Petitioner

VERSUS

RAJNEESH KAUSHIK Respondent

O R D E R

This is wife's petition for transfer of matrimonial case being HMA Petition No. 436 of 2012, titled as "Rajneesh Kaushik v. Monika", from the Court of District Judge, Saharanpur, U. P., to the Family Court at Karkardooma Court, Delhi.

2. Despite service of notice, the respondent has not chosen to appear to contest this Transfer Petition and thus, the facts stated in the Transfer Petition remain untraversed and undenied.

3. We have perused the averments made in the Transfer Petition.

4. Having regard to the fact that the petitioner-wife is residing in Delhi, we are satisfied that greater hardship shall be caused to her in case the proceedings in the above matrimonial case are allowed to be continued at Saharanpur, U. P.

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5. We, accordingly, allow the transfer petition and transfer HMA Petition No. 436 of 2012, titled as "Rajneesh Kaushik v. Monika", from the Court of District Judge, Saharanpur, U. P., to the Family Court at Karkardooma Court, Delhi. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

6. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible. The parties are directed to co-operate with the transferee court in expeditious disposal of the matrimonial case.

7. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;
OCTOBER 28, 2013.

.....J.
(SHIVA KIRTI SINGH)