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T.P.(C) No. 243 OF 2003

ITEM No.40

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
R E C O R D O F P R O C E E D I N G S

Transfer Petition (Civil) No.243 of 2003

SUKHLESH KUMARI

Petitioner (s)

VERSUS

TEJ PAL SINGH

Respondent (s)

(With appln(s). for stay and exemption from filing O.T.)

Date : 06/10/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Ms. Minakshi Vij.,Adv. (SCLSC)

For Respondent (s)Dr. Meera Agarwal,Adv.
Mr. R.C. Mishra,Adv.

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

Heard the learned counsel for the parties for a while.

Exemption is allowed.

The transfer petition is disposed of.

No costs.

[T.I. Rajput][Shelly Sengupta]
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 243 OF 2003

Sukhlesh Kumari

...Petitioner(s)

Versus

Tej Pal Singh

...Respondent(s)

O R D E R

This petition is filed by the wife seeking transfer of Case No. 130 of 2002, titled as Tej Pal Singh vs. Sukhlesh Kumari, pending before the District and Sessions Judge, Bharatpur, Rajasthan to the court at Hathras, Uttar Pradesh, on the grounds that she is a poor lady, having no source of income; she is dependent upon her parents; and she is unable to travel to the court at Bharatpur to defend the case without anybody accompanying her.

The transfer petition is opposed by the respondent.

During the course of hearing, when asked, the learned counsel for the respondent submitted that the respondent is ready to bear the travelling expenses of the petitioner and a person accompanying her, whenever her presence is required in the court at Bharatpur for the purpose of defending the case.

...2/-

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This being the position, we think it is just and appropriate that, instead of transferring the case, as sought for, the respondent shall bear the travelling expenses of the petitioner and an accompanying person by bus whenever her presence is required to defend the case at Bharatpur and incidental expenses of Rupees three hundred on the dates of hearing.

The transfer petition is, accordingly, disposed of.

No costs.

.....J.
[SHIVARAJ V. PATIL]

.....J.
[D.M. DHARMADHIKARI]

New Delhi,
October 06, 2003.