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T.P.(C) No. 220 OF 2003
ITEM No.41

Court No. 3

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.220/2003

RAJNI SEHRAWAT

Petitioner (s)

VERSUS

RAKESH SEHRAWAT

Respondent (s)

(With Appln(s). for stay and Office Report)

Date : 24/11/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI

HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)Mr. Suresh Chandra Tripathy, Adv.

For Respondent (s)Mr. S.M. Sarkar, Adv.
Mr. Shankar Divate, Adv.

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

The transfer petition is allowed in terms of the signed order.

KALYANI

(RADHA R. BHATIA)

COURT MASTER

(SIGNED ORDER IS PLACED ON THE FILE.)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 220 OF 2003

RAJNI SEHRAWAT

.....

PETITIONER (S)

VERSUS

RAKESH SEHRAWAT

.....

RESPONDENT (S)

O R D E R

The respondent-husband has filed a petition for seeking decree of divorce under Section 13 of the Hindu Marriage Act being Suit No. 34/2003 before the Additional District Judge, Tamluk District at Midnapore. The wife-petitioner is residing at New Delhi. This is a petition filed by the petitioner-wife seeking transfer of the above-said proceedings from Midnapore, West Bengal to the Court of District Judge, Tis Hazari, Delhi.

Having heard learned counsel for the parties, but without expressing any opinion on the allegations and counter allegations made against one another, which are subjudice in the main proceedings, we are of the opinion that it will be for better convenience of the parties and in the interest of justice if the proceedings are directed to be transferred from the Court of Midnapore to Delhi. Accordingly, the transfer petition is allowed. It is directed that Suit No. 34/2003 titled Rakesh Sehrawat Vs. Rajni Sehrawat pending in the Court of Additional District Judge, Tamluk District, at Midnapore, West Bengal shall stand transferred to the Court of District Judge, Tis Hazari, Delhi.

The Presiding Officer, Court of Additional District Judge at Midnapore shall, soon on communication of this order, transfer the record of proceedings in Suit No. 34/2003 titled as Rakesh Sehrawat Vs. Rajni Sehrawat to the Court of District Judge, Tis Hazari, Delhi, who may try the petition himself or make over the same for hearing and disposal in accordance with law to a Court of competent jurisdiction subordinate to him.

The parties through their respective counsel are directed to appear before the Court of District Judge, Tis Hazari, Delhi on 12th January, 2004.

No order as to the costs.

.....J
(R.C. LAHOTI)

.....J
(ASHOK BAN)

NEW DELHI;
NOVEMBER 24, 2003.