

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL.) NO.268 OF 2012

Prakash Kumari

Petitioner

Versus

Dharampal

Respondent

O R D E R

This is wife's petition seeking transfer of Matrimonial Petition No.1196 of 2011 titled as "Dharampal Vs. Prakash Kumari" pending in the Court of Additional Family Judge/Additional District Judge XIIIth, Allahabad, U.P. to the Family Court of Delhi or any other Court of competent jurisdiction at Delhi.

2. We have heard learned counsel for the parties and perused the averments made in the transfer petition and reply filed by respondent to the transfer petition.

3. Having regard to the fact that the petitioner-wife resides in Delhi, we are satisfied that the greater hardship shall be caused to her, if the proceedings in the above case are allowed to be continued at Allahabad, U.P.

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4. We, accordingly, allow the transfer petition and transfer the Matrimonial Petition No.1196 of 2011 titled as "Dharampal Vs. Prakash Kumari" from the Court of Additional Family Judge/Additional District Judge XIIIth, Allahabad, U.P. to the Principal Judge, Family Court at Tis Hazari Courts, Delhi.

5. It will be open to the Principal Judge, Family Court at Tis Hazari Courts, Delhi to transfer the case to any other Judge within his jurisdiction.

6. The transferor Court at Allahabad, U.P., shall transmit the record of the above transferred case to the transferee Family Court at Tis Hazari Courts, Delhi, without any delay. No costs.

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

