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T.P.(C) No. 199 OF 2003

ITEM No.45

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  
RECORD OF PROCEEDINGS

Transfer Petition (Civil) No.199 of 2003

MUKTA KAUR

Petitioner (s)

VERSUS

BALVINDER SINGH

Respondent (s)

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

Date : 28/07/2003 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)Mr. P. Vittal Rao,Adv.  
Mr. K. Ramesh,Adv.

Ms. Anjani Aiyagari,Adv.

For Respondent (s)Mr. Brij Bhusan,Adv.

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

Heard learned counsel for the parties for a while.

The transfer petition is ordered.

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. 199 OF 2003

Mukta Kaur

...Petitioner(s)

Versus

Balvinder Singh           ...Respondent(s)

O R D E R

This transfer petition is filed by the wife seeking transfer of Matrimonial Title Suit No. 119 of 2001, titled as Balvinder Singh vs. Mutka Kaur, pending before the Family Court, Ranchi to the court of the District Judge at Delhi on the ground that Ranchi is 1000 kilometers away from Delhi; she being unemployed, it is difficult for her to travel from Delhi and incur expenses therefor; and she apprehends danger to her life, if she goes to Ranchi. It is further stated by her that the witnesses are also at Delhi.

In opposition, the learned counsel representing the respondent submitted that the case may be transferred to any place other than Delhi as he apprehends danger to his life, if he goes to Delhi.

Looking to the averments made in the transfer petition as well as in the counter affidavit and having due regard to the facts and circumstances of the case, we order

...2/-

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transfer of Matrimonial Title Suit No. 119 of 2001, titled as Balvinder Singh vs. Mutka Kaur, pending before the Family Court, Ranchi to the court of the District Judge at Delhi, who shall either hear the case himself or transfer it to a court of competent jurisdiction.

No costs.

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

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

New Delhi,  
July 28, 2003.