

h  
ITEM NO.55

COURT NO.6

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). 285 OF 2012

MOUSUMI BANERJEE

Petitioner(s)

VERSUS

VIPUL CHAKRAVARTY

Respondent(s)

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

Date: 03/12/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s)

Mr. Abinav Sharma, Adv.  
Mr. Shivprasad Ghosh, Adv.for  
Mrs Sarla Chandra,Adv.

For Respondent(s)

Mrs. Francesca Kapur, Adv. for  
Mr. Arun K. Sinha,Adv.

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

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

|(Pardeep Kumar)  
|Court Master

| |(Renu Diwan)  
| |Court Master

|  
|

[SIGNED ORDER IS PLACED ON THE FILE ]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 285 OF 2012

| MOUSUMI BANERJEE | ... | PETITIONER(s) |

| Versus |

| VIPUL CHAKRAVARTY | ... | RESPONDENT(s) |

O R D E R

This is wife's petition seeking transfer of matrimonial case being H.M.A. No. 14 of 2012, Vipul Chakravarty vs. Mousumi Banerjee from the court of Additional District & Sessions Judge-II, Tis Hazari Courts, Delhi to the court of Principal Judge, Family Court, Alipore, South 24-Parganas, Kolkata (West Bengal).

2. Notice of the Transfer Petition has been served on the respondent. In opposition to the Transfer Petition, respondent has filed counter-affidavit.

3. Vide order dated October 5, 2012, the matter was referred to the Supreme Court Mediation Centre. The Co-ordinator, Supreme Court Mediation Centre has submitted his report that the mediation was not successful.

4. We have heard learned counsel for the parties and perused the available material.

: 2 :

5. Having regard to the fact that the petitioner-wife resides in Kolkata, we are satisfied that greater hardship would be caused to her if the proceedings in the above matrimonial case, filed by the respondent, are allowed to be continued at Delhi.

6. We, accordingly, allow the Transfer Petition and transfer H.M.A. No. 14 of 2012, Vipul Chakravarty vs. Mousumi Banerjee from the court of Additional District & Sessions Judge-II, Tis Hazari Courts, Delhi to the court of Principal Judge, Family Court, Alipore, South 24-Parganas, Kolkata (West Bengal). It will be open to the Principal Judge, Family Court, Alipore, South 24-Parganas to transfer the above matrimonial case to any other court under his jurisdiction. The transferrer court shall transmit the record and proceedings pertaining to the above matrimonial case to the transferee court without any delay. No costs.

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

.....J.  
(ANIL R. DAVE)

NEW DELHI  
DECEMBER 3, 2012.