

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 312 OF 2012

JAYATI ANIRUDDHA GHOSH

PETITIONER(S)

VERSUS

ANIRUDDHA BINAY KUMAR GHOSH

RESPONDENT(S)

O R D E R

This is wife's petition for transfer of matrimonial case being M.J. Petition No. A-39 of 2012, titled as "Aniruddha Binay Kumar Ghosh vs. Jayati Aniruddha Ghosh", from the Family Court, Bandra, Mumbai to the Family Court, Dhanbad, Jharkhand.

2. Respondent has filed counter-affidavit in opposition to the Transfer Petition.

3. We have carefully considered the averments made in the Transfer Petition and the counter-affidavit filed by the respondent.

4. Although respondent has tried to make out a case that if the case is transferred from Mumbai to

: 2 :

Dhanbad (Jharkhand), he would be put to inconvenience as his ailing parents stay with him in Mumbai and his professional duties also require him to remain in Mumbai, we are not persuaded by the grounds of inconvenience set-out by the respondent. In our view, since the petitioner-wife resides in Dhanbad (Jharkhand), she would be put to greater hardship in case the proceedings in the above matrimonial petition are allowed to be continued at Mumbai.

5. We, accordingly, allow the transfer petition and transfer M.J. Petition No. A-39 of 2012, titled as "Aniruddha Binay Kumar Ghosh vs. Jayati Aniruddha Ghosh", from the Family Court, Bandra, Mumbai to the Family Court, Dhanbad, Jharkhand. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

6. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible. The parties are

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directed to co-operate with the transferee court in expeditious disposal of the matrimonial case.

7. No costs.

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

NEW DELHI ; .....J.  
JANUARY 18, 2013 ( SUDHANSU JYOTI MUKHOPADHAYA )

ITEM NO.46

COURT NO.6

SECTION XVIA

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(s). 312 OF 2012

JAYATI ANIRUDDHA GHOSH

Petitioner(s)

VERSUS

ANIRUDDHA BINAY KUMAR GHOSH

Respondent(s)

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

Date: 18/01/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)

Mr. Akshat Shrivastava, Adv. for  
Ms. Manjeet Kirpal, Adv.

For Respondent(s)

Mr. Siddharth Gautam, Adv. for  
Mr. Shekhar Kumar, Adv.

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

Transfer Petition is allowed in terms of signed order.

|(Pardeep Kumar)  
|Court Master

| |(Renu Diwan)  
| |Court Master

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[SIGNED ORDER IS PLACED ON THE FILE ]