

T.P.(C) No. 251 OF 2004

ITEM No.17

Court No. 6

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.251/2004

GAJULA PADMA

Petitioner (s)

VERSUS

GAJULA THIRUPATHI

Respondent (s)

(With Appln(s). for stay and amendment of prayer portion and
Office Report)

Date : 02/08/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Mr. R.N. Keswani, Adv.
Mr. N.N. Keshwani,Adv.
Mr. Ramlal Roy, Adv.

For Respondent (s)Mr. Shibsankar Sarkar, Sr.Adv.
Mr. F.I. Choudhury, Adv.
Mr. Aditya Sharma, Adv.
Mr. Rameshwar Prasad Goyal, Adv.

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

Heard learned counsel for the parties.
The transfer petition is allowed in terms of the signed order.

Sarita (Shelly Sengupta)
Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO.251 OF 2004

GAJULA PADMA ... PETITIONER

VERSUS

O R D E R

Heard learned counsel for the parties.

This transfer petition is filed by the wife seeking transfer of matrimonial Suit O.P. No.5 of 2004 titled as Gajula Thirupathi vs. Gajula Padma from the Court of Senior Civil Judge at Karim Nagar (Andhra Pradesh) to the Court of District Judge/Family Court, Biwandi (Maharashtra) on the grounds that she is entirely dependent on her parents; she has no independent source of income; she has 3½ year child with her and it is difficult for her to travel to attend the court proceedings at Karim Nagar in Andhra Pradesh. The petition is resisted by the respondent-husband contending that there is a threat to his life by three brothers of the petitioner.

..2/-

.2.

Having regard to the facts and circumstances of the case, we think it is just and appropriate to order the transfer of matrimonial suit O.P. No. 5 of 2004 titled as Gajula Thirupathi vs. Gajula Padma from the Court of Senior Civil Judge at Karim Nagar (Andhra Pradesh) to the Family Court at Bandra, Mumbai Which may try the case itself or assign it to some other court having jurisdiction to hear the case.

The transfer petition is allowed accordingly.

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

New Delhi,
August 2, 2004.

.....J.
[B.N. SRIKRISHNA]