

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). 284 OF 2005

ARCHANA SOI

Petitioner(s)

VERSUS

MOHAN SOI

Respondent(s)

(With appln(s) for directions and stay)

Date: 12/05/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner(s)

Mr. Mukul Rohtagi, Sr. Adv.

Mr. Shridhar Y Chitale, Adv.

Ms. Mrunali Deshmukh, Adv.

Mr. Ajay Kapur, Adv.

Mr. Abhijat P. Medh, Adv.

For Respondent(s)

Dr. Aman Hingorani, Adv.

Ms. Priya Hingorani, Adv.

for M/s. Hingorani & Associates, Adv.

UPON hearing counsel the Court made the following

O R D E R

The transfer petition is allowed in terms of the signed order.

No order as to costs.

(D.P. WALIA)

(RADHA R. BHATIA)

COURT MASTER

COURT MASTER

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA

ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 284 OF 2005

Archana Soi

... Petitioner

vs.

Mohan Soi

... Respondent

O R D E R

Heard the learned counsel for the parties.

The transfer petition is allowed. Guardianship Case No.

33/2005 titled Mohan Soi vs. Archana Soi pending before the Guardian

Judge, Delhi is directed to be transferred to the Family Court at

Bandra, Mumbai (Maharashtra) to be taken up for hearing along with

M.J. Petition No. D-3/2004 which is already pending thereat.

The Guardian Judge, Delhi shall, soon on communication of

this order, transfer the record of proceedings of Guardianship Case

No. 33/2005 titled Mohan Soi vs. Archana Soi to the Family Court at

Bandra, Mumbai (Maharashtra).

It is stated at the Bar that the next date appointed for

hearing before the Family Court at Bandra, Mumbai in M.J. Petition

No. D-3/2004 is 25th May, 2005. The transferred case shall also be

taken up for hearing on the same day for which no separate notice

need be given to the parties. This order shall be treated as a

notice. The proceedings shall be expeditiously decided.

The learned counsel for the respondent-husband submits that the husband may be permitted to visit the children and spend some time with them. The husband-respondent is at liberty to make that prayer before the trial court. The learned counsel for the petitioner-wife states that immediately the wife has no objection to the husband-respondent visiting the children subject to such orders as the trial court may pass. It is stated that the children are presently at Bangalore and they are expected to come back to Bombay by 23rd May, 2005. The learned counsel for the petitioner-wife states that the husband-respondent may come to the residence of the petitioner at Bombay on 23rd May, 2005 and visit the children.

No order as to costs.

.....CJI
(R.C. LAHOTI)

.....J
(D.M. DHARMADHIKARI)

.....J
(G.P. MATHUR)

New Delhi;

May 12, 2005.