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T.P.(C) No. 395 OF 2004

ITEM No.9

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  
R E C O R D O F P R O C E E D I N G S

Transfer Petition (Civil) No.395/2004

ANITA THUKRAL

Petitioner (s)

VERSUS

SATBIR SINGH THUKRAL

Respondent (s)

( With Appln(s). for stay and Office Report )

Date : 25/10/2004 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. Mohan Pandey,Adv.

Mr. V.N. Pandey, Adv.

Mr. S.S. Bandyopadhyay, Adv.

Ms. Mona Rajvanshi, Adv.

For Respondent (s)Mr. Pradeep K. Bakshi, Adv.

Mr. Rajat Navet, Adv.

for Mr. Pradeep K. Bakshi, 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  
Court Master

(Shelly Sengupta)

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO.395 OF 2004

ANITA THUKRAL

PETITIONER

VERSUS

SATBIR SINGH THUKRAL

RESPONDENT

O R D E R

This petition is by the wife seeking transfer of SMA Petition No.09 of 2003 titled as Shri Satbir Singh Thukral vs. Smt. Anita Thukral pending in the court of Additional Sessions Judge, Tees Hazari Court, Delhi to a court of competent jurisdiction at Mumbai (Maharashtra) on the grounds that she is a handicapped person, she has a daughter residing with her, there is no other family member to look after her daughter and that she has financial difficulty also in travelling from Mumbai to Delhi to attend the court proceedings.

This petition is opposed by the respondent contending that the petitioner sometimes resides at Mumbai and sometimes at Dubai, the daughter is of 14/15 years and that he is ready to bear the travelling expenses in case

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the petitioner comes to Delhi to attend the court proceedings.

Having regard to the facts and circumstances of the case and looking to the grounds urged in the transfer petition, we are satisfied that this transfer petition is required to be allowed.

Accordingly, it is allowed. The SMA Petition No.09 of 2003 titled as Shri Satbir Singh Thukral vs. Smt. Anita Thukral pending in the court of Additional Sessions Judge, Tees Hazari Court, Delhi shall stand transferred to the Family Court, Andheri, Mumbai (Maharashtra).

[ SHIVARAJ V. PATIL ]

.....J.

New Delhi,  
October 25, 2004.

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