

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C.) NO.463 OF 2005

SMT.USHA

Petitioner(s)

VERSUS

RAM AVTAR

Respondent(s)

ORDER

Heard petitioner's counsel. Though notice was issued to the respondent, he has not chosen to appear before this Court.

The petitioner herein is the wife of the respondent. The respondent has initiated proceedings for Restitution of Conjugal Rights under the Hindu Marriage Act in the Family Court at Agra (U.P.). The petitioner herein is now staying with her parents at Delhi and seeks transfer of that case stating that she was not in a position to go frequently to Agra to defend the case.

In the facts and circumstances of the case, in our opinion, the transfer
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petition has to be allowed and is ordered accordingly. The case Suit No.1 of 2005 pending before the Family Court, Agra entitled Ram Avtar Vs. Smt.Usha is transferred to the court of Civil Judge/Family Court at Delhi
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and the Civil Judge/Family Court shall try the case himself or entrust the same to any other court of competent jurisdiction.

All relevant papers may be transmitted to the court of competent

jurisdiction.

.....CJI.
(K.G. BALAKRISHNAN)

.....J.
(TARUN CHATTERJEE)

.....J.
(R.V. RAVEENDRAN)

NEW DELHI;
6TH AUGUST, 2007.

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ITEM NO.32

COURT NO.1

SECTION XVIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 463 OF 2005

USHA Petitioner(s)

VERSUS

RAM AVTAR Respondent(s)
(With office report)

Date: 06/08/2007 This Petition was called on for hearing today.

CORAM :
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s) Mr.S.Abu Ahmad, Adv.
For Mr. Prashant Chaudhary,Adv.

For Respondent(s)

NEMO

UPON hearing counsel the Court made the following
ORDER

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ot Heard petitioner's counsel. Though notice was issued to the respondent, he has n

chosen to appear before this Court.

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

(G.V.Ramana)
Court Master

(Veera Verma)
Court Master

(Signed order is placed on the file)