

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 483 OF 2013

DIPALI GUPTA

PETITIONER(s)

VERSUS

ASHISH KUMAR GUPTA

RESPONDENT(s)

O R D E R

This is wife's petition for transfer of matrimonial case being H.M.A. No. 432 of 2012, titled as "Ashish Kumar Gupta vs. Dipali Gupta, from the Family Court 02, North West, Rohini Court, Delhi to the court of District Judge, Patiala, Punjab.

2. In pursuance to the notice issued by this Court, respondent has appeared and filed counter-affidavit in opposition to the Transfer Petition. The principal objection taken therein is that the petitioner is highly qualified inasmuch as she is Master in Computer Application and it is not at all difficult for her to travel from Patiala to Delhi where the matter is pending. Learned counsel for the respondent further submits that the respondent is prepared to bear the travelling expenses of the wife for travelling from Patiala to Delhi to attend the matrimonial proceedings.

3. We have considered the above objections of the

: 2 :

respondent. Having regard to the fact that the petitioner-wife is presently residing in Patiala (Punjab) and reported to be not working, we are satisfied that greater hardship shall be caused to her in case the proceedings in the above matrimonial case are allowed to be continued at Delhi.

4. We, accordingly, allow the transfer petition and transfer matrimonial case being H.M.A. No. 432 of 2012, titled as "Ashish Kumar Gupta vs. Dipali Gupta, from the Family Court 02, North West, Rohini Court, Delhi to the Family Court, Patiala, Punjab. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

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

The parties are directed to co-operate with the transferee court in

expeditious disposal of the matrimonial case.

6. No costs.

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

.....J.
(SHIVA KIRTI SINGH)

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). 483 OF 2013

DIPALI GUPTA Petitioner(s)

VERSUS

ASHISH KUMAR GUPTA Respondent(s)

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

Date: 11/11/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. Gagan Gupta,Adv.

For Respondent(s) Ms. Poonam A., Adv.
Mr. Birendra Kumar Mishra,Adv.

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

Transfer Petition is allowed in terms of signed order. No costs.

|(Pardeep Kumar)
|Court Master

|(Renu Diwan)
|Court Master

|

[SIGNED ORDER IS PLACED ON THE FILE]