

ITEM NO.5

COURT NO.12

SECTION

XVIA

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. 356 OF 2004

BINA RANI UPADHYAY

Petitioner

(s)

VERSUS

SIDDHARTHA UPADHYAY

Respondent

(s)

(With appln. for stay and Office Report)

Date: 11/02/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner(s) Mr. K. Maruthi Rao, Adv.

Ms. K. Radha, Adv.

Mr. M. Vijaya Bhaskar, Adv.

For Respondent(s) Mr. Deba Prasad Mukherjee, Adv.

Ms. Nandini Mukherjee, 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.

(S. Thapar)

PS to Registrar

(Shelly Sengupta)

Court Master

The signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION © NO. 356 OF 2004

BINA RANI UPADHYAY

PETITIONER (S)

VERSUS

SIDDHARTHA UPADHYAY

RESPONDENT (S)

O R D E R

Heard learned counsel for the parties.

The petition is by the wife seeking transfer of matrimonial

proceedings from Alipore, West Bengal to Deoghar in Jharkhand. It

is stated that she is a woman with no support, financial or

otherwise, and finds it difficult to prosecute proceedings pending

at Alipore. Accepting her statement made on affidavit, the

Matrimonial Suit No. 196 of 2004 titled as Siddhartha Upadhyay Vs.

Smt. Bina Rani Upadhyay (nee Mishra) pending before the learned

District Judge at Alipore, District South 24 PGS in West Bengal is

transferred to the Family Court at Dumka in Deoghar District in

Jharkhand, to be tried by the competent Court.

The Transfer Petition is thus allowed accordingly.

.....J

(D.M. Dharmadhikari)

New Delhi,

.....J

February 11, 2005

(B.N. Srikrishna)