

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) NO. 538 OF 2013

Ruby Singh

..Petitioner

versus

Rakesh Singh

..Respondent

O R D E R

In this petition filed under Section 25 of the Code of Civil Procedure, the petitioner has prayed for transfer of Marriage Petition No. 173A of 2011 titled Rakesh Singh v. Ruby Singh filed by the respondent under Section 13(1)(ia)(iii) of the Hindu Marriage Act, 1955 which is pending in the Court of 1st Additional Presiding Judge, Family Court, Jabalpur to a competent Court at Ara within the State of Bihar.

The petitioner has sought transfer of the case filed by the respondent on the grounds of her financial incapacity to travel from Ara, Bihar to Jabalpur and apprehended danger to life at Jabalpur.

Notice of the transfer petition has been duly served upon the respondent but neither he nor any one else has appeared on his behalf and no counter has been filed to controvert the averments contained in the transfer petition.

In view of the above, the transfer petition is allowed and Marriage Petition No. 173A of 2011 titled Rakesh Singh v. Ruby Singh pending in the Court of 1st Additional Presiding Judge, Family Court, Jabalpur is transferred to the Court of District Judge, Ara, Bihar, who may try the case himself or make over the same to any other Court of competent jurisdiction for being decided in accordance with law.

.....J.  
[G.S. SINGHVI]

NEW DELHI;  
AUGUST 02, 2013

.....J.  
[SUDHANSU JYOTI MUKHOPADHAYA]

ITEM NO.7

COURT NO.2

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(s). 538 OF 2013

RUBY SINGH

Petitioner(s)

VERSUS

RAKESH SINGH

Respondent(s)

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

Date: 02/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)

Ms. Anuradha Mutatkar, Adv.

For Respondent(s)

None

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

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

| (Parveen Kr.Chawla)  
| Court Master  
|

| | (Phoolan Wati Arora)  
| | Court Master  
| |

[signed order is placed on the file]