

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

TRANSFER PETITION (CRL.) NO(s). 135 OF 2004

VINAY KUMAR PODAR Petitioner(s)

VERSUS

NANDINI PODAR Respondent(s)

(With appln(s) for stay and exemption from filing O.T. and office report)  
(for final disposal)

WITH T.P.(C) NO. 849 of 2004

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

Date: 17/07/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.P. MATHUR

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s) Ms. Shomila Bakshi, Adv.

Ms. Rani Mishra, Adv.

Ms. Kamini Jaiswal, Adv.

For Respondent(s) Mr. Kavin Gulati, Adv.

Ms. Rohina Nath, Adv.

Mr. Javaid Muzaffar, Adv.

Mr. Umesh Kumar Khaitan, Adv.

UPON hearing counsel the Court made the following

O R D E R

C) No. 849/2004 is T.P. (Crl.) 135/2004 is dismissed and T.P.(

allowed in terms of the signed order.

(Pardeep Kumar)

(Radha

R. Bhatia)

Court Master

C

Court Master

[signed order is placed on file]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CRL.) NO.135 OF 2004

VINAY KUMAR PODAR

..PETITIONER

VERSUS

NANDI NI PODAR

..RESPONDENT

WITH

TRANSFER PETITION (C) NO. 849 OF 2004

VINAY KUMAR PODAR

...PETITIONER

VERSUS

NANDINI PODAR

...RESPONDENT

O R D E R

T.P. (CRL. ) NO. 135/2004

We have heard learned counsel for the parties. We do not find any justifiable ground to transfer Maintenance Petition No. 13/11 of 2001 under Section 125 Cr.P.C. pending before the First Additional Chief Judicial Magistrate, Muzaffarnagar, U.P. to Jaipur. The Transfer Petition is, accordingly, dismissed.

: 2 :

T.P. (C) NO. 849 OF 2004

Petitioner-husband has moved this petition under Section 25 of the Code of Civil Procedure for transfer of Divorce Petition No. 1 of 2003 titled Vinay Podar Vs. Nandini Podar pending before the District Judge, Muzaffarnagar to a court of competent jurisdiction at Jaipur.

Having regard to the facts and circumstances of the case specially the fact that the petitioner is suffering from cancer, we consider it proper to transfer Divorce Petition No.1/2003 titled Vinay Podar Vs. Nandini Podar pending before the District Judge, Muzaffarnagar, U.P. to the Court of District Judge, Delhi.

The District Judge, Muzaffarnagar, U.P. is directed to transmit the entire record related to the above-said case forthwith to the District Judge, Delhi who on receipt of the same shall either hear it himself or assign it to any other court of competent jurisdiction.

Learned counsel for the petitioner has made a statement that

the petitioner will bear the expenses of the respondent Mrs. Nandini

Podar for coming to Delhi in connection with the case. If an

: 3 :

application in that regard is made before the court concerned,

appropriate orders for payment of expenses shall be passed.

The Transfer Petition is allowed accordingly.

.....J.

[ G.P. MATHUR ]

.....J.

[ R.V. RAVEENDRAN ]

NEW DELHI

JULY 17, 2006