

T.P.(C) No. 416 OF 2004
ITEM No.5

Court No. 5

SECTION XVIA
A/N MATTER

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.416/2004

MANJU SHUKLA

Petitioner (s)

VERSUS

BRIJESH KUMAR SHUKLA

Respondent (s)

(With Appln(s). for stay)
(With Office Report)

Date : 05/11/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)

Mr. Rameshwar Prasad Goyal,Adv.

For Respondent (s)

Mr. Manoj K. Mishra,Adv.

Mr. Sanjay Visen,Adv.

Mr. N.S. Bisht,Adv.

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

The Transfer Petition is dismissed in terms of the signed order.

(Sarojbala)
PA to Addl.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..416 OF 2004

Manju Shukla

Petitioner(s)

Vs.

Brijesh Kumar Shukla

Respondent(s)

O R D E R

Heard learned counsel for the parties. This petition is filed by the wife for seeking transfer case No. 399/2003 titled as Brijesh Kumar Shukla vs. Smt. Manju pending in the Court of Civil Judge, Senior Division, Pratapgarh (U.P.) to a Court of competent jurisdiction at Delhi. She filed this petition on two grounds: 1) She has no independent source of income and 2) She

was threatened and she filed F.I.R. against the respondent for offences U/S 498A, 406 read with 34 I.P.C.

The learned counsel for the Respondent submitted that as a matter of fact the petitioner is residing with her mother in a village near by Pratapgarh and she is contesting the case in Pratapgarh.

...2/-

: 2 :

Having perused the grounds in the Transfer Petition and in the facts and circumstances of the case, we do not think it appropriate to allow this transfer petition. It is accordingly dismissed. But, however, the respondent husband shall pay a sum of Rs. 200/- (Two hundred) to the petitioner on each date of hearing at the Court of Pratapgarh whenever she appears in court.

.....J.
(Shivaraj V. Patil)

.....J.
(B.N. Srikrishna)

NEW DELHI
NOVEMBER 5, 2004.