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ITEM NO.11

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). 591 OF 2013

RUKSHANA KHATOON

Petitioner(s)

VERSUS

MOHAMMAD JAVED ALAM

Respondent(s)

(With appln(s) for stay)

WITH T.P.(C) NO. 609 of 2013

(With appln(s) for ex-parte stay and office report)

Date: 19/07/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s)

Mr. Subhasish Bhowmick,Adv.

For Respondent(s)

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

The transfer petitions are allowed in terms of the signed order.

| (Parveen Kr.Chawla)  
| Court Master  
|

| | (Usha Sharma)  
| | Court Master  
| |

[signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) NO.591 OF 2013

Rukshana Khatoon

..Petitioner

versus

Mohammad Javed Alam

..Respondent

WITH

TRANSFER PETITION ) NO. 609 OF 2013

O R D E R

In these petitions, the petitioner has prayed for transfer of Matrimonial Case No. 60/2012 and Miscellaneous Case No.72 of 2010 pending before the Family Court at Gaya to the Court of District Judge, Alipore, Dist-South 24 Paraganas, West Bengal.

The petitioner has sought transfer mainly on the ground of her inability to travel from Kolkata (West Bengal) to Gaya (Bihar) for contesting the petitions filed by the respondent. The petitioner has averred that she does not have any regular source of income and she has to depend on her parents for financial help.

We have heard learned counsel for the petitioner and perused the pleadings of the case.

In our view, the petitioner has been able to make out a case for transfer of the aforesaid cases.

The transfer petitions are accordingly allowed and Matrimonial Case No. 60/2012 and Miscellaneous Case No.72 of 2010 pending before the Family Court at Gaya (Bihar) are transferred to the District Judge, Alipore, Dist-South, 24 Paraganas, West Bengal who may either decide the cases himself or make over the same to any other Court of competent jurisdiction for being disposed of in accordance with law.

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

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

New Delhi;  
July 19, 2013

.....J.  
[V. GOPALA GOWDA]