

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 435 OF 2013

SHOBHA RANI

Petitioner(s)

VERSUS

SATYA NARAYAN THAKUR

Respondent(s)

O R D E R

This is wife's petition seeking transfer of matrimonial case being Matrimonial Petition No. 7 of 2013 titled "Satya Narayan Thakur Vs. Shobha Rani" from the Court of Principal Judge, Family Court, Darbhanga, Bihar to the Court of Family Judge, Saket, District South, New Delhi.

2. Notice of the Transfer Petition has been served on the respondent and he is represented by his advocate.

3. As a matter of fact, vide order dated October 21, 2013, the matter was referred to the Supreme Court Mediation Centre (for short, 'Centre') for resolution of matrimonial disputes between the parties through the process of mediation. The Centre has submitted a report from which it appears that the parties have not been able to arrive at any amicable settlement.

4. Be that as it may, we have heard learned counsel for the parties and have also perused the averments made in the Transfer Petition. No counter affidavit has been filed by the respondent in opposition to the Transfer Petition. The averments contained in the Transfer Petition, thus, remain untraversed and undenied.

5. Having regard to the fact that the petitioner is residing in New Delhi, we are satisfied that, if the proceedings in the above case are allowed to be continued at Darbhanga, Bihar, greater hardship shall be caused to the petitioner-wife.

6. We, accordingly, allow the Transfer Petition and transfer matrimonial case being Matrimonial Petition No. 7 of 2013 titled "Satya Narayan Thakur Vs. Shobha Rani" from the Court of Principal Judge, Family Court, Darbhanga, Bihar to the Principal Judge, Family Court, Saket, District South, New Delhi. The transferrer court shall transmit the record and proceedings of the transferred case to the transferee court without any delay.

7. The transferee court is requested to hear and decide the transferred case as expeditiously as may be possible. The parties are directed to co-operate with the transferee court in expeditious disposal of the transferred case.

8. No costs.

.....J.
(R.M. LODHA)

NEW DELHI;J.
FEBRUARY 3, 2014 (SHIVA KIRTI SINGH)
ITEM NO.62 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). 435 OF 2013

SHOBHA RANI Petitioner(s)

VERSUS

SATYA NARAYAN THAKUR Respondent(s)

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

Date: 03/02/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. Rupesh Kumar, Adv.
Ms. Pankhuri Shrivastava, Adv.
Mr. S.D. Singh, Adv.

For Respondent(s)
Mr. Amit Pawan, Adv.

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

Transfer Petition is allowed in terms of the signed order.

|(Rajesh Dham) | |(Renu Diwan) |
|Court Master | |Court Master |

(signed order is placed on the file)