

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 239 OF 2006

RITU DEVI Petitioner(s)

VERSUS

RAHUL DEO UPADHYAY & ORS. Respondent(s)

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

Date: 03/12/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER  
HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s) Mr. Shekhar Kumar, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
ORDER

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

[ Charanjeet Kaur ]  
Court Master

[ Vinod Kulvi ]  
Court Master

[ Signed order is placed on the file ]  
IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 239 OF 2006

Ritu Devi .. Petitioner(s)  
Versus .. Respondent(s)  
Rahul Deo Upadhyay & Ors.

ORDER

In this matter, notice was issued and ad-interim stay was granted against further proceedings. Notice was served but the respondents did not appear. When the matter appeared on board on October 8, 2007, the respondents were not present and we passed the following order :

"Though served, nobody appears for the respondents. Since the respondents are served very recently, in our opinion, ends of justice would be met if the matter is ordered to be placed in the first week of December, 2007.

Ad-interim order to continue."

It is clear from the above order that this Court wanted to give last opportunity if the respondents had any objection against the transfer. Even today, nobody appears for the respondents.

On the facts and in the circumstances of the case, we are of the view that this is a fit case for transfer. Matrimonial Petition No. 112 of 2004 titled Rahul Deo Upadhyay vs. Ritu Devi and Ors. pending before the Family

..2/-

:2:

Court, Ranchi, Jharkhand is transferred to the Court of the District Judge, Arrah, Bihar, who shall try the case himself or make it over to any other Court of competent jurisdiction. The transfer petition is, accordingly, allowed.

.....J  
[ C.K. THAKKER ]

.....J  
[ ALTAMAS KABIR ]

NEW DELHI,  
DECEMBER 03, 2007.