

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) NO.427 OF 2012

Nirupama Chakraborty ...Petitioner

versus

Anirban Chakraborty ...Respondent

O R D E R

In this petition, the petitioner has prayed for transfer of Act VIII Case No. 8 of 2012 titled Aniraban Chakraborty v. Nirupama Chakraborty, pending in the Court of District Judge, Alipore, District South-24 Parganas, Kolkatta within the State of West Bengal to the competent Court at Dharwad within the State of Karnataka.

Notice of the transfer petition was issued on 04.04.2012 and the parties were directed to appear before the Mediation Centre of the Supreme Court on 27.07.2012 to explore the possibility of an amicable settlement of their matrimonial dispute.

We have perused the mediation report which reveals that the parties are not intending to settle the matter.

No one has appeared for the petitioner.

We have gone through the transfer petition. The main ground taken by the petitioner for transfer of the case filed by the respondent is her financial incapacity to travel from Dharwad (Karnataka) to Alipore (State of West Bengal).

In our view, the petitioner has been able to make out a case for transfer. Accordingly, the transfer petition is allowed and Act VIII Case No. 8 of 2012 titled Aniraban Chakraborty v. Nirupama Chakraborty, pending in the Court of District Judge, Alipore, District South-24 Parganas, Kolkatta within the State of West Bengal is transferred to the Court of District Judge at Dharwad within the State of Karnataka, who may try the case himself or make over the same to any other Court of competent jurisdiction for being decided in accordance with law.

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

New Delhi;J.

September 12, 2012

[SUDHANSU JYOTI MUKHOPADHAYA]

ITEM NO.5

COURT NO.5

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). 427 OF 2012

NIRUPAMA CHAKRABORTY

Petitioner(s)

VERSUS

ANIRBAN CHAKRABORTY

Respondent(s)

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

Date: 12/09/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)

None

For Respondent(s)

Mr. Partha Sil,Adv.

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

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

| (Parveen Kr.Chawla)
| Court Master
|

| | (Phoolan Wati Arora)
| | Court Master
| |

[signed order is placed on the file]