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T.P.(C) No. 383 OF 2001

ITEM No.46

Court No. 2

SECTION XVIA  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Transfer Petition (Civil) No.383 of 2001@@  
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SHASHIBALA SHARMA & ANR.

Petitioner (s)

VERSUS

MOHAN SHARMA

Respondent (s)

(With Appln(s). for stay)

Date : 10/09/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA  
HON'BLE MR. JUSTICE Y.K. SABHARWAL  
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mrs.Urmila Sirur,Adv. (SCLSC)

For Respondent (s)

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

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The transfer petition is made absolute.

No order as to costs.

(T.I. Rajput)  
Court Master

(Shelly Sengupta)  
Court Master

(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

Transfer Petition (C) No.383 of 2001~@@  
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Shashibala Sharma & Anr.

...Petitioner

Versus~

Mohan Sharma

....Respondent

O R D E R@@  
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The respondent-husband has refused to accept notice on the transfer petition. Service upon him, therefore, is complete.

The transfer petition seeks the transfer of proceedings in Guardianship filed in Bhojpur, Bihar to Katni in Madhya Pradesh. The petition avers that the minor in respect of whom the proceedings are taken is residing with the petitioner at Katni. The wife also avers that she is entirely dependent upon the husband for maintenance for herself and the minor and has no means to travel the 700 kms. or so between Bhojpur and Katni. Further, she would not be able to travel alone and she has no place at Bhojpur where she can stay. There being no response to the averments, the transfer petition is made absolute and Minor and Guardianship Case No.22 of 2000, pending before the court of the IIIrd ...2/-

- 2 -

Additional District Judge, Bhojpur (Arrah), Bihar shall stand transferred to the court of the Additional District Judge, Katni, Madhya Pradesh.

No order as to costs.

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.....J.  
(S.P. Bharucha)@@  
AAAAAAAAAAAAAAAAA

.....J.  
(Y.K. Sabharwal)@@  
AAAAAAAAAAAAAAAAA

.....J.  
(Ashok Bhan)@@  
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New Delhi,  
September 10, 2001.