

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 444 OF 2012

KAVITA Petitioner(s)

VERSUS

DEEPAK Respondent(s)

O R D E R

This is wife's petition seeking transfer of matrimonial case being Original Suit M.P. No. 9/2012 titled "Deepak Vs. Kavita" pending in the Court of Civil Judge (Senior Division), Kanshiram Nagar, Uttar Pradesh to any appropriate Court at Delhi.

2. After notice of the transfer petition was served on the respondent, at the request of the learned counsel for the parties, the matter was referred to the Supreme Court Mediation Centre. The Co-ordinator, Supreme Court Mediation Centre has informed that mediation has failed.

3. On hearing learned counsel for the parties, we are satisfied that, since the petitioner resides at Delhi, greater hardship shall be caused to her in case the proceedings in the above matrimonial case are allowed to be continued at Kanshiram Nagar, Uttar Pradesh.

4. We, accordingly, allow the transfer petition and transfer matrimonial case being Original Suit M.P. No. 9/2012 titled "Deepak Vs. Kavita" pending in the Court of Civil Judge (Sr. Division), Kanshiram Nagar, Uttar Pradesh to the Family Court, Saket Courts, Delhi. The transferrer court shall transmit the record and proceedings of the above transferred case to the transferee court without any delay. No costs.

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

NEW DELHI;J.
NOVEMBER 30, 2012 (ANIL R. DAVE)

ITEM NO.47 COURT NO.6 SECTION XVIA

RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 444 OF 2012

KAVITA Petitioner(s)

VERSUS

DEEPAK Respondent(s)

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

[ALONG WITH MEDIATION REPORT]

Date: 30/11/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. Rajeev Kumar Bansal, Adv. (SCLSC)
Mr. Akshay K. Ghai, Adv.

For Respondent(s) Mr. Ragvesh Singh, Adv.
Mr. P.S.Sudheer, Adv.
Mr. Rishi Maheshwari, Adv.
Mr. Abu John Mathew, 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)
|Court Master

| |(Renu Diwan)
| |Court Master

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(signed order is placed on the file)