

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 796 OF 2022

RITA TYAGI

Petitioner(s)

VERSUS

SHUBHAM TYAGI

Respondent(s)

O R D E R

1. The present petition has been filed by the petitioner-wife seeking transfer of M.C.No. 86 of 2022 titled "*Shubham Tyagi v. Rita Tyagi*", pending before the Court of Principal Judge, Family Court, Saharanpur, Uttar Pradesh to the Court of the Special Judge, Family Court, District Chittorgarh, Rajasthan.

2. Having heard learned counsel for the parties, we are of the view that a case is made out for passing order of transfer.

4. Accordingly, M.C.No. 86 of 2022 titled "*Shubham Tyagi v. Rita Tyagi*", pending before the Court of Principal Judge, Family Court, Saharanpur, Uttar Pradesh is ordered to be transferred to the Court of the Special Judge, Family Court, District Chittorgarh, Rajasthan for hearing and disposal in accordance with law.

5. We direct that the case being M.C No. 16/2022 filed by the petitioner-wife under Section 125 of the Code of Criminal Procedure, 1973 shall be also transferred to the Family Court at Chittorgarh, Rajasthan which shall be heard along with the transferred case.

6. The Family Court as well as the concerned Criminal Court in which the case arising out of FIR No.31 of 2022 is pending shall endeavour to ensure that same date is fixed in all three cases.

7. Records shall be sent by Courts where proceedings are pending to the transferee Court promptly.

8. The Transfer Petition is, accordingly allowed.

.....J.
(ABHAY S.OKA)

.....J.
(RAJESH BINDAL)

NEW DELHI;
April 26, 2023.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition(s)(Civil) No(s). 796/2022

RITA TYAGI

Petitioner(s)

VERSUS

SHUBHAM TYAGI

Respondent(s)

(MEDIATION REPORT HAS BEEN RECEIVED.
IA No. 52671/2022 - EX-PARTE STAY
IA No. 89404/2022 - EXEMPTION FROM FILING O.T.)

Date : 26-04-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s)

Mr. Mohit Saroha, Adv.
Ms. Shuchi Arora, Adv.
Mr. Sachin Malik, Adv.
Ms. Kheyali Singh, AOR

For Respondent(s)

Ms. Shradha Agarwal, Adv.
Mr. Arvind Gupta, AOR

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

The Transfer Petition is allowed in terms of the
signed order.

Pending applications also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER

(Signed order is placed on the file.)