

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

Transfer Petition(Civil) No.1187/2021

JASSI GUPTA

Petitioner(s)

VERSUS

HIMANSHU GUPTA

Respondent(s)

WITH

Transfer Petition(Civil) No.208/2023

O R D E R

1. The petitioner (wife) seeks transfer of (i) Matrimonial Case No.180/2021 titled "Himanshu Gupta vs. Jassi Gupta" filed by the respondent (husband) under Section 9 of the Hindu Marriage Act, 1955, and (ii) Matrimonial Case No.1732/2022 titled "Himanshu Gupta vs. Jassi Gupta" filed by the respondent (husband) under Section 13 of the Hindu Marriage Act, 1955, which are pending before the Principal Judge, Family Court, Bulandshahar, Uttar Pradesh.

2. The petitioner (wife) seeks transfer of the above-stated cases to the Court of Principal Judge, Family Court, Gwalior (Madhya Pradesh).

3. The marriage between the parties was solemnized on 21-01-2014 and a daughter born out of wedlock on 04-05-2015 is in the care and custody of the petitioner (wife).

4. Learned counsel appearing for the respondent (husband) fairly states that the respondent has no objection if the cases are

transferred to the Court of Principal Judge, Family Court, Gwalior (Madhya Pradesh). A Counter affidavit is stated to have been filed in the matter and the same is taken on record.

5. He further submits that there is a possibility of an amicable settlement of matrimonial disputes between the parties and, therefore, the matter may be referred to mediation.

6. Learned counsel appearing for the petitioner (wife) has no objection to it.

7. In this view of the matter, (i) Matrimonial Case No.180/2021 titled "Himanshu Gupta vs. Jassi Gupta" and (ii) Matrimonial Case No.1732/2022 titled "Himanshu Gupta vs. Jassi Gupta", which are pending before the Principal Judge, Family Court, Bulandshahar, Uttar Pradesh, are ordered to be transferred to the Court of Principal Judge, Family Court, Gwalior (Madhya Pradesh).

8. The records be forwarded to the transferee Court forthwith.

9. With a view to explore the possibility of an amicable settlement of the disputes, the parties are directed to appear before the Mediation Centre attached to the Gwalior Bench of the High Court of Madhya Pradesh on 01-05-2023 at 11.00 a.m.

10. The Transferee Court may not proceed on the merits of the case until the conclusion of mediation proceedings.

11. The Transfer Petitions are allowed in the above-terms.

.....J
(SURYA KANT)

.....J
(J.K. MAHESHWARI)

NEW DELHI
24TH APRIL, 2023.

ITEM NO.1

COURT NO.9

SECTION XVI-A

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.1187/2021

JASSI GUPTA

Petitioner(s)

VERSUS

HIMANSHU GUPTA

Respondent(s)

(IA No. 80899/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 80897/2021 - EXEMPTION FROM FILING O.T. & IA No. 80896/2021 - STAY APPLICATION)

WITH

T.P.(C) No. 208/2023 (XVI-A)

(IA No. 17090/2023 - EXEMPTION FROM FILING O.T. & IA No. 17087/2023 - STAY APPLICATION)

Date : 24-04-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s)

Mr. Shishir Kumar Saxena, Adv.

Mr. P. N. Pareek, Adv.

Mr. Brijendra Singh, Adv.

Mr. Praveen Swarup, AOR

For Respondent(s)

Mr. Utkarsh Sharma, AOR

Mr. Siddhant Dutt, Adv.

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

Exemption Applications are allowed.

The Transfer Petitions are allowed, in terms of the signed Order.

Pending applications also stand disposed of.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
COURT MASTER (NSH)

(Signed Order is placed on the file)

