

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

Transfer Petition(s) (Civil) No(s). 968/2021

BISHNUPRIYA SABAT

Petitioner(s)

VERSUS

MANISH DEBNATH

Respondent(s)

O R D E R

1. The present petition has been filed by the petitioner-wife praying inter alia for transfer of a petition filed by the respondent-husband for dissolution of marriage under Section 27(1)(d) of the Special Marriage Act, 1954 being SMA Case No.65 of 2021, pending before the Court of the Principal Judge, Family Court, Saket, South-East Delhi to the Family Court, Berhampur, Orissa.

2. Ms. Rukhsana Choudhury, Advocate has entered appearance on behalf of the respondent-husband and states that her client is ready and willing to negotiate a settlement with the other side through.

3. Learned counsel for the petitioner-wife states that the said offer is only a ruse and even earlier hereto, the parties had appeared before a Mediator appointed by the Orissa High Court in Anticipatory Bail Petition No.2522 of 2021, but nothing concrete could emerge in the said proceedings.

4. The suggestion of the learned counsel for the respondent-

husband that the parties resolve their disputes through mediation can always be placed before the learned Family Court, Behrampur, Orissa.

5. Having regard to the facts and circumstances of the present case, it is deemed appropriate to allow the present petition. It is directed that the records relating to SMA Case No.65 of 2021 be remitted forthwith from the Court of the Principal Judge, Family Court, Saket, South-East Delhi to the Family Court, Berhampur, Orissa for the proceedings to be taken up from the point where they were left.

6. The petition is disposed of. Pending application(s), if any, are also disposed of.

New Delhi,
28th February, 2022

....., J.
[HIMA KOHLI]

