

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

Transfer Petition(Civil) No.1004/2021

PRIYANKA KUMARI

Petitioner(s)

VERSUS

VIMAL KUMAR SHARMA

Respondent(s)

O R D E R

1. The petitioner (wife) seeks transfer of Matrimonial Case No.1817/2018 titled "Vimal Kumar Sharma vs Smt. Priyanka Kumari" filed by the respondent (husband) under Section 13 of the Hindu Marriage Act, 1955, which is pending before the Court of Principal Judge, Family Court, Ghaziabad, Uttar Pradesh.

2. The petitioner (wife) seeks transfer of the above-stated case to the Court of Principal Judge, Family Court, Bhabua (Kaimur), Bihar.

3. Heard learned counsel appearing for the petitioner and perused the material placed on record.

4. As per the Office Report dated 18-01-2023, service is complete on the respondent (husband) but nobody has entered appearance on his behalf so far.

5. The marriage between the parties was solemnized on 13-07-2013.

6. Keeping in view the fact that the distance between the place of residence of the petitioner and the place where the respondent (husband) has filed the divorce petition is about 900 kms coupled

with the fact that she has to take care of her old aged parents, it would be difficult for her to travel from Bihar to Uttar Pradesh to defend herself in the case instituted by respondent (husband).

7. Therefore, without expressing any views on the merits of the case, the Transfer Petition is allowed and Matrimonial Case No.1817/2018 titled "Vimal Kumar Sharma vs Priyanka Kumari", pending before the Court of Principal Judge, Family Court, Ghaziabad, Uttar Pradesh, is ordered to be transferred to the Court of Principal Judge, Family Court, Bhabua (Kaimur), Bihar.

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

9. Pending application also stands disposed of.

.....J
(SURYA KANT)

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

NEW DELHI
25TH JANUARY, 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 STransfer Petition(Civil) No.1004/2021

PRIYANKA KUMARI

Petitioner(s)

VERSUS

VIMAL KUMAR SHARMA

Respondent(s)

(IA No.63882/2021-STAY APPLICATION)

Date : 25-01-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s)

Mr. Ajay Kumar Singh, AOR
Mr. Haresh Singh, Adv.
Mr. Yatharth Singh, Adv.
Mr. Divesh Kumar, Adv.
Mr. Vishal Kumar Singh, Adv.
Mr. Ashish Singh, Adv.
Mr. Manoj Kr. Jha, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RThe Transfer Petition is allowed, in terms of the signed
Order.

Pending application also stands disposed of.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS(PREETHI T.C.)
COURT MASTER (NSH)

(Signed Order is placed on the file)