

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 461 OF 2012

RACHANA JAIN @ PINKI

PETITIONER

VERSUS

DILIP @ DILIP KUMAR

RESPONDENT

O R D E R

This is wife's petition for transfer of matrimonial case being O.P. No. 1213 of 2010, titled as "Dilip @ Dilip Kumar vs. Rachana Jain @ Rachana Kumari" from the Family Court, Chennai, Tamil Nadu to the Family Court-cum-Additional District Judge, East Godavari District, Rajahmundry, Andhra Pradesh.

2. Despite service of notice, respondent has not chosen to appear to contest this Transfer Petition and thus, the facts stated in the Transfer Petition remain untraversed and undenied.

3. We have carefully perused the averments made in the Transfer Petition.

4. Having regard to the fact that the petitioner-wife is residing in East Godavari District (Andhra Pradesh), we are satisfied that greater hardship shall be caused to her in case the proceedings in the above

matrimonial case are allowed to be continued at Chennai (Tamil Nadu).

5. We, accordingly, allow the transfer petition and transfer O.P. No. 1213 of 2010, titled as "Dilip @ Dilip Kumar vs. Rachana Jain @ Rachana Kumari" from the Family Court, Chennai, Tamil Nadu to the Family Court-cum-Additional District Judge, East Godavari District, Rajahmundry, Andhra Pradesh. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

6. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible. The parties are directed to co-operate with the transferee court in expeditious disposal of the matrimonial case.

7. No costs.

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

NEW DELHI;

.....J.
(KURIAN JOSEPH)

MAY 3, 2013.

ITEM NO.39

COURT NO.4

SECTION XVIA

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(s). 461 OF 2012

RACHANA JAIN @ PINKI

Petitioner(s)

VERSUS

DILIP @ DILIP KUMAR

Respondent(s)

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

Date: 03/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr. D.Geetha, Adv. for
Mr. R.Chandrachud,Adv.

For Respondent(s)

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

Transfer Petition is allowed in terms of signed order. No
costs.

|(Pardeep Kumar)
|Court Master

|(Renu Diwan)
|Court Master

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[SIGNED ORDER IS PLACED ON THE FILE]