

IN THE SUPREME COURT OF INDIA  
CIVIL/CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.1588 OF 2018

RITU ...PETITIONER(S)

VERSUS

SURENDER ...RESPONDENT(S)

WITH

TRANSFER PETITION (CRL.)NOS. 212-213 OF 2019

O R D E R

TRASNFER PETITION (CIVIL) NO. 1588 OF 2018

1. We have heard learned counsel appearing on behalf of the parties.
2. The petitioner-wife before this Court has filed the instant petition under Section 25 of the Code of Civil Procedure, 1908 seeking transfer of Petition No. 1049/2018 titled as Surender vs. Ritu pending in the Court of Family Courts, Dwarka, New Delhi to the Family Court at Agra, U.P.
3. Learned counsel appearing on behalf of the respondent-husband has objected to transfer of the petition on the ground that the distance is not much for the petitioner to travel and defend the proceedings in the Court at New Delhi. Though the said contentions are put forth, we notice that three other matters inter-se between the parties are already pending before the Court at Agra. The marriage between the parties is also solemnized at Agra and the Court therein in any event has jurisdiction to try the

same. In that view, keeping in view the prayer of the petitioner put forth and the difficulties expressed by the petitioner, we accept the prayer of the petitioner. Accordingly, Petition No. 1049/2018 titled as Surrender vs. Ritu pending in the Family Court, Dwarka, New Delhi is ordered to be transferred to the Family Court at Agra, U.P. for hearing and disposal in accordance with law who may try the case himself or assign the same to the court competent to do so. Records shall be sent by Court where proceedings are pending to the transferee court promptly and without any delay.

3. The transfer petition is accordingly, allowed.

4. On receipt of the case records, the transferee Court is directed to make all endeavour for amicable settlement, failing which for early decision in the case without unnecessary adjournments.

TRANSFER PETITION (CRIMINAL) NOS. 212-213 OF 2019

In view of the consideration made by us in Transfer Petition (Civil) No. 1588 of 2018 between the same parties and since we find that it is appropriate to consider and decide all the matters in the Courts at Agra, prayer of the petitioner-husband to transfer case from Agra to Dwarka stands rejected.

The transfer petitions bearing Nos. 212-213 of 2019 are accordingly, dismissed.

.....J.  
[R. BANUMATHI]

NEW DELHI  
19TH JULY, 2019

.....J.  
[A.S. BOPANNA]

ITEM NO.41

COURT NO.7

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(s)(Civil) No(s). 1588/2018

RITU

Petitioner(s)

VERSUS

SURENDER

Respondent(s)

(IA No. 136830/2018 - EX-PARTE STAY  
IA No. 136831/2018 - EXEMPTION FROM FILING O.T.)

WITH T.P.(Cr1.) No. 212-213/2019

Date : 19-07-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI  
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Ms. Vimal Sinha, Adv.  
Ms. Vinisha Mohanti, Adv.  
Mr. Ankit Kumar, Adv.  
Mr. Mritunjay Kumar Sinha, AOR

For Respondent(s) Ms. Prerna Mehta, AOR  
in TC1588/18 &  
Petitioner in  
TP(Cr1.)No.212-213/19

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

Transfer Petition(s)(Civil) No(s). 1588/2018

The transfer petition is allowed in terms of the signed order.

Pending application(s), if any, shall also stand disposed of.

T.P.(Cr1.) No. 212-213/2019

The transfer petitions are dismissed in terms of the signed order.

Pending application(s), if any, shall also stand disposed of.

(MADHU BALA)  
COURT MASTER (SH)  
(Signed order is placed on the file)

(NISHA TRIPATHI)  
BRANCH OFFICER