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T.P.(C) No. 362 OF 2003
ITEM No.35

Court No. 6

SECTION XVIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition.(Civil) No.362/2003

SEEMA LAL

Petitioner (s)

VERSUS

MAHANDER SINGH & ORS.
(With Appln(s). for stay and Office Report)

Respondent (s)

Date : 12/01/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. Shishir Pinaki, Adv.
Mr. Sanjay Jain, Adv.

For Respondent (s)Mr. Rajnish Prasad, Adv.
Mr. Sunil Roy,Adv.

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

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

Sarita(Shelly Sengupta)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION © NO.362 OF 2003

SEEMA LAL

PETITIONER

VERSUS

MAHANDER SINGH & ORS.

RESPONDENTS

O R D E R

The respondent No.1, the contesting respondent, despite service of notice in this petition, has neither appeared nor represented.

This petition is filed seeking transfer of Miscellaneous Case No.40/2003 (titled as Shri Mahender Singh vs. Smt. Seema Lal & Ors.), a case pertaining to the custody of the child pending on the file of the Family Court, Agra to the Family Court at Patna on the ground that the boy, whose custody is sought is seven years' old and he is studying in a reputed school at Patna.

The petitioner being the mother, is also staying at Patna and

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it is difficult for her to travel to attend the proceedings in Family Court at Agra. The petitioner is also facing other difficulties, as stated in the petition.

No counter affidavit is filed and the petition is also not resisted by respondent No.1. On being satisfied with the justification for ordering of the transfer of the case, we allow this petition and order transfer of Miscellaneous Case No.40/2003 titled as Shri Mahender Singh vs. Smt. Seema Lal & Ors. from the Family Court, Agra to the Family Court at Patna.

.....J.

(SHIVARAJ V. PATIL)

.....J.

New Delhi,
January 12, 2004.

(D.M. DHARMADHIKARI)