

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.663 OF 2013

AMEE SHARAN DESAI ...Petitioner(s)

VERSUS

SHARAN SANJEEV DESAI ...Respondent(s)

WITH

TRANSFER PETITION (CIVIL) NO.1048 OF 2013

O R D E R

These petitions have been filed by the petitioner for transfer of G.P.No.02/2013 and H.M.A.Petition No.71 of 2013 both titled Sharan Sanjeev Desai vs. Ameer Sharan Desai pending in the Court of Family Judge, Family Court, Saket Court Complex, New Delhi to the Court of Principal Judge, Family Court, Bandra, Mumbai.

We have heard Ms.Kamini Jaiswal, learned counsel for the petitioner and Shri Shyam Divan, learned senior counsel for the respondent and carefully perused the record including the order sheets recorded for facilitating an amicable settlement of matrimonial disputes between the parties.

Shri Shyam Divan informed the Court that on account of intervention of the Bombay High Court, Shri Rajeev Patil, Advocate has again started efforts for mediation and amicable settlement of disputes between the parties and he has held a meeting on 03.12.2013. According to Shri Divan, the parties should be given opportunity to make continued efforts for amicable resolution of their matrimonial disputes.

Ms.Kamini Jaiswal responded to the submission of Shri Shyam Divan by stating that the mediation proceedings can take place at Bombay and if the parties settled their disputes then all the pending proceedings can be disposed of in terms of the settlement.

In the light of the submissions made by learned counsel for the parties and the averments contained in their pleadings, we are convinced that the petitioner has succeeded in making out a case for transfer of the cases from the Family Court, Saket Court Complex, New Delhi to the Court of Principal Judge, Family Court, Bandra, Mumbai.

The transfer petitions are accordingly allowed and G.P.No.02/2013 and H.M.A.Petition No.71 of 2013 both titled Sharan Sanjeev Desai vs. Ameer Sharan Desai are transferred from the Court of Family Judge, Family Court, Saket Court Complex, New Delhi to the Court of Principal Judge, Family Court, Bandra, Mumbai for being disposed of in accordance with law.

While ordering transfer of the two petitions, we make it clear that this order shall not adversely affect the mediation ordered by the Bombay High Court. We also make it clear that if the parties are able to settle their matrimonial disputes through the intervention of the mediator, all the pending petitions shall be disposed of in terms of the settlement.

(G.S. SINGHVI)J.

(V.GOPALA GOWDA)J.

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(s). 663 OF 2013

AMEE SHARAN DESAI Petitioner(s)

VERSUS

SHARAN SANJEEV DESAI Respondent(s)

(With appln(s) for stay)
WITH T.P.(C) NO. 1048 of 2013
(With appln.(s) for stay and office report)

Date: 09/12/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE V.GOPALA GOWDA

For Petitioner(s) Ms. Kamini Jaiswal, Adv.

For Respondent(s) Mr. Shyam Divan, Sr. Adv.
Mr. Jatin Zaveri, Adv.
Mr. Vaibhav Vats, Adv.
Mr. Avishkar Singhvi, Adv.
Mr. Lakshmi Raman Singh, Adv.

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

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

(Satish K. Yadav)
Court Master

(Phoolan Wati Arora)
Assistant Registrar

(Signed order is placed on the file)