

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 714 OF 2013

VIYYAPPU JAHANVI

Petitioner(s)

VERSUS

K. PRASAD RAO @ VIYYAPPU PRASADRAO

Respondent(s)

O R D E R

This is wife's petition seeking transfer of Matrimonial Case No. 337 of 2012 titled "K. Prasad Rao @ Viyyappu Prasadrao Vs. Viyyappu Jahanvi" pending before the Principal Judge, Family Court, Muzafarpur, Bihar to the Family Court at Visakhapatnam, Andhra Pradesh.

2. Notice of the Transfer Petition has been issued to the respondent. The respondent has neither personally appeared nor has engaged any lawyer. He has, however, sent a communication to the Registry stating therein that due to lack of money, he is unable to appear before the Court and further that he has no objection if the case is transferred.

3. Having regard to the fact the petitioner-wife is residing in Visakhapatnam, Andhra Pradesh, we are satisfied that, if the proceedings in the above mentioned petition are allowed to be continued at Muzafarpur, Bihar, greater hardship shall be caused to the petitioner-wife.

4. We, accordingly, allow the Transfer Petition and transfer Matrimonial Case No. 337 of 2012 titled "K. Prasad Rao @ Viyyappu Prasadrao Vs. Viyyappu Jahanvi" pending before the Principal Judge, Family Court, Muzafarpur, Bihar to the Principal Judge, Family Court at Visakhapatnam, Andhra Pradesh. The transferrer court shall transmit the record and proceedings of the transferred case to the transferee court without any delay.

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

6. No costs.

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

NEW DELHI;J.
MARCH 28, 2014 (KURIAN JOSEPH)

ITEM NO.44 COURT NO.2 SECTION XVIA

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). 714 OF 2013

VIYYAPPU JAHANVI

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VERSUS

K. PRASAD RAO @ VIYYAPPU PRASADRAO

Respondent(s)

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

Date: 28/03/2014 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. Dushyant Parashar, Adv.

For Respondent(s)

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

Transfer Petition is allowed in term of the signed order.

|(Rajesh Dham)
|Court Master

| |(Renu Diwan)
| |Court Master

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(signed order is placed on the file)