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T.P.(C) No. 248 OF 2003

ITEM No.31

Court No. 2

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.248/2003

VASANT PHATAK

Petitioner (s)

VERSUS

SAYALI PHATAK
(With Office Report)
With
T.P.(C) No.544/2003

Respondent (s)

Date : 11/02/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner (s)/Mr. P.P. Rao, Sr. Adv.

Respondent(s)Mr. D.N. Goburdhun, Adv.

Ms. Pinky Anand, Adv.

Ms.Geeta Luthra, Adv.

Mr. A.K. Sanghi, Adv.

Mr.Vishwa Pal Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

Transfer petition No. 544/2003 is allowed and Transfer petition No.248/2003 stands dismissed i
n terms of the signed order.

Meenu Sethi)

Court Master

(Om Prakash)

Court Master

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION(C) No.248/2003

Vasant Pathak
...
Petitioner

VERSUS

Sayali Pathak
...
Respondent

With T.P.(C) No. 544/2003

O R D E R

Having heard learned senior advocate/learned counsel appearing for the parties and having gone through the pleadings raised in this case, we are satisfied that T.P.(C) No.544/2003 is a fit case for transfer. H.M.A. No. 172 of 2002 entitled Vasant Pathak Vs. Sayali Phatak pending in the Court of Civil Judge(Sr. Division) District Court , NOIDA, U.P.is, therefore, transferred to the Court of District Judge,Tis Hazari, Delhi which the said Court shall try itself or shall assign the same to any other Court of competent jurisdiction. We are ordering the transfer of the case mainly to facilitate the Divorce Proceedings No.785/2002 titled as Sayali Pathak Vs. Vasant Pathak and H.M.A. No. 172/2002 titled Vasant Pathak Vs. Sayali Pathak to be tried together by the same Court. Transfer Petition No. 544/2003 is allowed accordingly.

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In view of the order passed in Transfer Petition No. 544/2003 , Transfer Petition No.248/2003 stands dismissed.

.....J.
(S. RAJENDRA BABU)

.....J.
(B.N. AGRAWAL)

.....J.
(G.P. MATHUR)
New Delhi,
February 13, 2004.

