

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 565 OF 2012

MEHAK AGARWAL

PETITIONER(s)

VERSUS

RAJAT AGARWAL

RESPONDENT(s)

O R D E R

This is wife's petition for transfer of matrimonial case being Petition/Suit No. 266 of 2011, titled as "Rajat Agarwal vs. Mehak Agarwal", from the court of Civil Judge (Sr. Division), Hapur, Uttar Pradesh to the Family Court at Hyderabad, Andhra Pradesh.

2. The notice of Transfer Petition has been served on the respondent-husband and he has filed counter-affidavit in opposition to the Transfer Petition.

3. The principle ground taken by the respondent-husband in opposition to the Transfer Petition is that minor child aged about 4 years 4 months is staying with him and in case he has to attend the proceedings at Hyderabad, the minor child would be put to great inconvenience.

4. We have perused the averments made in the Transfer Petition and the counter-affidavit.

5. Having regard to the fact that the petitioner-wife is presently residing in Hyderabad (Andhra Pradesh), we are satisfied that greater hardship shall be caused to her in case the proceedings in the above matrimonial case are allowed to be continued at Hapur, Uttar Pradesh.

6. We, accordingly, allow the transfer petition and transfer matrimonial case being Petition/Suit No. 266 of 2011, titled as "Rajat Agarwal vs. Mehak Agarwal", from the court of Civil Judge (Sr. Division), Hapur, Uttar Pradesh to the Family Court at Hyderabad, Andhra Pradesh. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

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

8. No costs.

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

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). 565 OF 2012
[FOR PREL. HEARING]

MEHAK AGARWAL Petitioner(s)

VERSUS

RAJAT AGARWAL Respondent(s)

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

Date: 26/04/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE SHARAD ARVIND BOBDE

For Petitioner(s) Mr. Ravi Kumar Tomar,Adv.

For Respondent(s) Mr. Manoj Swarup, Adv.
Ms. Neha Kedia, Adv. for
Mr. Rohit Kumar Singh,Adv.

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

Transfer Petition is allowed in terms of signed order. No
costs.

(Pardeep Kumar)	(Renu Diwan)	
Court Master	Court Master	

[SIGNED ORDER IS PLACED ON THE FILE]