

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). 541 OF 2012

KAVITA PATHAK Petitioner(s)

VERSUS

PIYUSH PATHAK Respondent(s)

(With appln(s) for stay and office report)
WITH T.P.(C) NO. 1279-1281 of 2012
[PIYUSH PATHAK V. KAVITA PATHAK]
(With application for stay and office report)

Date: 12/10/2012 These Petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE A.K. PATNAIK
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. Aneesh Mittal, Adv.
in TP 541 Mr. Sunil Kumar Jain, Adv.

In Tp 1279-81 Ms. Priya Hingorani, Adv.
Dr. Aman Hingorani, Adv.
For M/S. Hingorani & Associates, Adv.

For Respondent(s) Ms. Priya Hingorani, Adv.
For M/S. Hingorani & Associates, Adv.

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

| The Transfer Petitions are disposed of in terms of the signed order. |
| [KALYANI GUPTA] | | [SHARDA KAPOOR] |
| COURT MASTER | | COURT MASTER |

[SIGNED ORDER IS PLACED ON THE FILE.]
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PEITITION (C) NO. 541 OF 2012

KAVITA PATHAK PETITIONER

VERSUS

PIYUSH PATHAK RESPONDENT

WITH

TRANSFER PEITITION (C) NOS. 1279-1281 OF 2012

PIYUSH PATHAK PETITIONER

VERSUS

O R D E R

1. We are not issuing notice in TP(C) Nos. 1279-1281 of 2012 as Mr. Sunil Kumar Jain is already present in Court for the wife. He agrees to appear in these matters also.

2. Counsel for both the parties are present in Court.

3. The counsel for the petitioner-husband in TP(C) Nos. 1279-81 of 2012 prays that Petition Nos. 158 of 2012 titled Kavita Pathak v. Piyush Pathak, Petition No. 10/2012 titled Kavitha Pathak v. Piyush Pathak and Petition No. 76/2012 titled Master Arnava pathak & Anr. Through Kavita Pathak v. Piyush Pathak pending in the Family Court at Dehradun be transferred to Durg where he has filed Case No. 73A of 2011 titled as Piyush Pathak v. Kavita Pathak.

4. The counsel for the petitioner-wife in TP(C) No. 541 of 2012, on the other hand, prays for transfer of Case No. 73A of 2011 titled as Piyush Pathak v. Kavita Pathak to Dehradun.

5. Considering the fact that the wife is now residing in Ghaziabad and working in Delhi and also considering the fact that it will be difficult for the husband to travel all the way from Durg to Dehradun, we direct that all the aforesaid cases pending before the Family Court at Durg and in the Family Court at Dehradun shall stand transferred to the District Court at Patiala House, New Delhi. The District Judge at Patiala House, New Delhi shall either hear the case himself or assign the same for disposal to a court of competent jurisdiction.

6. The Family Court at Dehradun and Durg are directed to transmit the records to the District Court at Patiala House, New Delhi.

7. The Transfer Petitions stand disposed of in the above terms.

.....J
[A.K. PATNAIK]

.....J
[H.L. GOKHLAE]

NEW DELHI
OCTOBER 12, 2012.