

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 891 OF 2013

PUSHPA SINHA

Petitioner(s)

VERSUS

PRADEEP SINGH

Respondent(s)

O R D E R

This is wife's petition seeking transfer of matrimonial case bearing Petition No. 224 of 2012 titled "Pradeep Singh Vs. Pushpa Sinha" pending before the Principal Judge, Family Courts, Rohini, Delhi to the Principal Judge, Family Courts, Nalanda, Bihar.

2. Notice of the Transfer Petition has been served on the respondent. After receipt of notice, the respondent has filed counter affidavit in opposition to the Transfer Petition.

3. We have carefully considered the averments made in the Transfer Petition and the counter affidavit.

4. It is stated by the respondent in the counter affidavit that petitioner has been presently residing in the house of her real sister Mrs. Aarti at Palam, Delhi and she has been regularly appearing before the trial court at Delhi in the case transfer of which is sought. But we find that except this bald statement, there is nothing on record to show that the petitioner is residing in Delhi with her sister. Rather it is specific assertion of the petitioner that she is a resident of Village Bhabur Pur, Post Sartha, P.S. Chandi, District Nalanda, Bihar.

5. As the petitioner is residing in Nalanda, Bihar which is about 1000 K.M. from Delhi, we are satisfied that, if the proceedings in the above case are allowed to be continued at Delhi, greater hardship shall be caused to the petitioner-wife.

6. We, accordingly, allow the Transfer Petition and transfer matrimonial case bearing Petition No. 224 of 2012 titled "Pradeep Singh Vs. Pushpa Sinha" pending before the Principal Judge, Family Courts, Rohini, Delhi to the Principal Judge, Family Courts, Nalanda, Bihar. The transferrer court shall transmit the record and proceedings of the transferred case to the transferee court without any delay.

7. 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.

8. No costs.

