

""TP(C) NO. 525 OF 2011

ITEM NO.53

COURT NO.3

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). 525 OF 2011

AFROZ JAHAN

Petitioner(s)

VERSUS

SHAHNAWAZ

Respondent(s)

(With appln(s) for exemption from filing O.T., stay, vacating  
stay and office report)

Date: 11/11/2011

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI  
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s)

Mr. Vishwa Pal Singh, Adv.

For Respondent(s)

Mr. R.Chandrachud, Adv.

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

The Transfer Petition is allowed in terms of  
the signed order.

[KALYANI GUPTA]  
COURT MASTER

[INDU SATIJA]  
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE.]

TP(C) NO. 525 OF 2011

1

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (C) NO. 525 OF 2011

AFROZ JAHAN

.....

PETITIONER

VERSUS

SHAHNAWAZ

.....

RESPONDENT

O R D E R

The present petition has been filed under Section 25 of the Code of Civil Procedure, 1908 read with Order XXXVIB of the Supreme Court Rules, 1966 by the petitioner-wife seeking transfer of Civil Suit No. ML-14/2010 titled as Shahnawaz V. Afroz Jahan pending before the Small Causes Court/Additional Civil Judge, Saket Court Complex, South Delhi (Delhi) to District Judge, Kashipur (Uttarakhand).

During the pendency of the petition, we had referred the matter to the Supreme Court Mediation Centre to explore the possibility of an amicable settlement of their disputes and differences. A report to this effect

has been received from the Mediation Centre stating  
TP(C) NO. 525 OF 2011

2

therein that mediation proceedings have failed.

We have heard the learned counsel appearing for the parties and gone through the transfer petition.

Having regard to the facts and circumstances of the case, we are satisfied that this is a fit case where the prayer for transfer is to be allowed.

We allow this transfer petition and direct that Civil Suit No. ML-14/2010 titled as Shahnawaz V. Afroz Jahan pending before the Small Causes Court/ Additional Civil Judge, Saket Court Complex, South Delhi (Delhi) be transferred to the District Judge, Kashipur

(Uttarakhand) who may hear the matter either himself or assign the same for disposal to a court of competent jurisdiction.

The Transfer Petition is allowed accordingly.

.....J  
[DALVEER BHANDARI]

.....J  
[DIPAK MISRA]

NEW DELHI  
NOVEMBER 11, 2011.